

THE UNITED NATIONS AND THE PROTECTION OF CIVILIANS IN AFRICAN CONFLICTS



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award of the degree of
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COMPULSORY DECLARATION

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Table of Contents

List of figures	5
List of abbreviations	6
Abstract	8
Chapter 1: Introduction	9
1.1 Background and Problem Statement	9
1.2 Research Aims	12
1.3 Defining Key Terms	12
1.4 Theoretical Framework	14
1.4.1 Constructivism Literature Review	14
1.4.2 The POC Norm and Constructivist Framework	17
1.5 Methodology	21
1.6 Chapter Outline	22
Chapter 2: Normative Evolution during the UN Peace Mission in Somalia (UNOSOM)	24
2.1 Introduction	24
2.2 Background	24
2.2.1 National Context	24
2.2.2 International Context	26
2.3 Actors	28
2.4 Motives	33
2.5 Mechanisms	36
2.6 Conclusion	39
Chapter 3: Normative Evolution during the UN Peace Mission in Rwanda (UNAMIR)	41
3.1 Introduction	41
3.2 Background	41
3.2.1 National Context	41
3.2.2 International Context	42
3.3 Actors	44
3.4 Motives	49

3.5 Mechanisms	51
3.6 Conclusion	54
Chapter 4: Normative Evolution during the UN Peace Mission in Sierra Leone (UNAMSIL)	55
4.1 Introduction	55
4.2 Background	55
4.2.1 National Context	55
4.2.2 International Context	56
4.3 Actors	57
4.4 Motives	64
4.5 Mechanisms	67
4.6 Conclusion	73
Chapter 5: Normative Evolution during the UN Peace Mission in Sudan (UNMIS)	75
5.1 Introduction	75
5.2 Background	75
5.2.1 National Context	75
5.2.2 International Context	76
5.3 Actors	78
5.4 Motives	81
5.5 Mechanisms	85
5.6 Conclusion	91
Chapter 6: Conclusion: Normative Evolution and Constructivist Theory	93
6.1 Introduction	93
6.2 Evolution of the POC Norm at the UN (1992-2011)	93
6.3 Building Constructivist Theory: Normative Evolution during the Second Stage of the Norm Life-Cycle	96
6.4 Further Research	98
Bibliography	99
Secondary Sources	99
UN Documents	105
Websites	108

List of Figures

Table 1: Stages of Norms	15
Table 2: Norm Evolution during the Second Stage of the Norm Life-Cycle	18
Table 3: Finnemore's and Sikkink's Second Stage of the Norm Life-Cycle	

List of Abbreviations

AMIS	African Union Mission in Sudan
CENTCOM	US Central Command
CONOPS	Military Concept of Operations
CPA	Child Protection Advisor
CPA	Comprehensive Peace Agreement
CPU	Child Protection Unit
DPA	United Nations Department of Political Affairs
DPKO	United Nations Department of Peacekeeping Operations
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
HRW	Human Rights Watch
ICC	International Criminal Court
ICID	International Commission of Inquiry on Darfur
ICISS	International Commission on Intervention and State Sovereignty
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the Former Yugoslavia
IHL	International Humanitarian Law
IO	International Organization
LRA	Lord's Resistance Army
MSF	<i>Medicins sans Frontieres</i>
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
NPLF	National Patriotic Front of Liberia
OCHA	United Nation's Office for the Coordination of Humanitarian Affairs
PDD-25	Presidential Directive Decision 25
POC	Protection of Civilians
PWG	Protection Working Group
R2P	Responsibility to Protect
RPF	Rwandan Patriotic Front

RUF	Revolutionary United Front
SPLA	Sudan People's Liberation Army
SRSG	United Nation's Special Representative to the Secretary-General
TAN	Transnational Advocacy Network
UN	United Nations
UNAMID	African Union/United Nations Hybrid Operation in Darfur
UNAMIR	United Nations Assistance Mission for Rwanda
UNAMIR II	United Nations Assistance Mission for Rwanda II
UNAMSIL	United Nations Mission in Sierra Leone
UNITAF	United Task Force
UNMIS	United Nations Mission in the Sudan
UNOMSIL	United Nations Observer Mission in Sierra Leone
UNOSOM I	United Nations Operation in Somalia I
UNOSOM II	United Nations Operation in Somalia II
UNPROFOR	United Nations Protection Force in Former Yugoslavia
UNSC	United Nations Security Council
UK	United Kingdom
US	United States (of America)
USC	United Somali Congress

Abstract

Since 1948, the United Nations (UN) has launched 83 peace missions across the globe. After the end of the Cold War, the nature of UN peace missions changed and the UN began to mandate its peace soldiers to perform a greater variety of tasks. One of these tasks was the protection of civilians (POC). While much work has been done on the growth of the civilian protection agenda and the role that peacekeepers play in protecting civilians during armed conflict, these works have been descriptive narratives that lack any sort of theoretical component that conceptualizes POC as a norm. This thesis conceptualizes POC as a norm and utilizes a Constructivist framework based on Martha Finnemore's and Kathryn Sikkink's norm life-cycle in order to identify how the norm of civilian protection during conflict in Africa evolved at the UN, beginning in 1992 and ending in 2011. It argues that the greatest impetus for the evolution of the POC norm came from actors *within* the UN, who were motivated by organizational survival, even though the institutionalization of normative evolution at the UN did not necessarily lead to the demonstration of POC by UN peace soldiers on the ground. This thesis aims to prove this assertion by applying a Constructivist framework to a case study, which consists of UN peace missions in four different African nations: Somalia, Rwanda, Sierra Leone and Sudan. This thesis also aims to build upon existing Constructivist theory.

Chapter 1

Introduction

1.1 Background and Problem Statement

Concern for vulnerable populations in areas of conflict has grown beyond the human rights and relief communities, “emerging as a political and normative force among international leaders.”¹ The United Nations (UN) has more recently been at the forefront of recognizing and articulating the need to protect civilians during conflict. Thus, the UN Security Council (UNSC) has begun to authorize some of its peace missions to protect civilian populations in conflict. The UN includes this goal particularly in its African peace missions, where predation of civilians during conflict is common. Nearly 600,000 African civilians have been massacred in the past two decades, and “tens of millions more have been killed in battles, displaced, or perished from indirect causes of such attacks and the continent’s armed conflicts.”² Out of the fourteen different UN-led missions with mandates that include the protection of civilians (POC), twelve were conducted in Africa.³

But how have the UN’s goals to protect civilians during its peace missions in Africa evolved over time? This is the problem addressed by my thesis.

For the purposes of this thesis, POC is conceptualized as a norm. Recently, in the field of international relations, increasing attention has been given to normative forces, or

¹ Victoria Holt, *The Responsibility to Protect: Considering the Operational Capacity for Civilian Protection* (Washington, D.C.: The Henry L. Stimson Center, 2005), 4.

² Paul Williams, *Enhancing Civilian Protection in Peace Operations: Insights from Africa* (Washington, D.C.: National Defense University Press, 2010), 1.

³ United Nations Mission in the Central African Republic and Chad (MINURCAT), United Nations Stabilization Mission in Mali (MINUSMA), United Nations Organization Mission in the Democratic Republic of Congo (MONUC), United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO), United Nations Operation in Burundi (ONUB), AU/UN Hybrid Operation in Darfur (UNAMID), United Nations Mission in Sierra Leone (UNAMSIL), United Nations Interim Security Force for Abyei (UNIFSA), United Nations Mission in Liberia (UNMIL), and United Nations Mission in Sudan (UNMIS) and the United Nations Mission in South Sudan (UNMISS), United Nations Mission in Cote d’Ivoire (UNOCI).

norms. Norms are collective expectations, understandings or standards of appropriate behavior for actors with a given identity.⁴ Norms guide the behavior of actors, sometimes by constraining their self-interests. The notion that normative factors shape human concerns and social interactions as much as material or power-maximizing factors directly challenges Neorealist and Neoliberal political theories.⁵ As such, it is important to investigate how norms evolve and whether normative change brings about behavioral change.

The POC norm has its origins in the non-combatant immunity norm. Non-combatants, or civilians, are those who do not play active military roles in a conflict.⁶ This disengagement from hostilities grants civilians immunity from direct military attack. The non-combatant immunity norm has long been a norm of military conduct and customary international law. Though the rules of war vary across time and space, these rules have persisted “toward the general conception of war as a *combat between combatants*, a conception that turns up again and again in anthropological and historical accounts.”⁷ In the 13th century, Christian writers began to include the norm in the “just war” doctrine.⁸ This doctrine had “considerable influence on the formation of certain principles of the international law of war, among which is the principle of noncombatant immunity.”⁹ Codification of non-combatant immunity began with the Geneva Conventions of 1949, specifically the Geneva Convention Relative to the Protection of Civilian Persons in Time of War. The Geneva Conventions, along with the subsequent Protocols of 1977, are the

⁴ Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization* 52, 4 (Autumn 1998); Peter Katzenstein, “Introduction: Alternative Perspectives on National Security,” in *The Culture of National Security: Norms and Identity in World Politics*, ed. Peter J. Katzenstein (New York: Columbia University Press, 1996); Martha Finnemore, *National Interests in International Society* (Ithaca, N.Y.: Cornell University Press, 1996); Jeffrey Checkel, “The Constructivist Turn in International Relations Theory,” *World Politics* 50, 2 (January 1998).

⁵ Martha Finnemore and Kathryn Sikkink, “Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics,” *Annual Reviews Political Science* 4 (2001), 393; Checkel, “The Constructivist Turn in International Relations Theory,” 325.

⁶ International Committee of the Red Cross (ICRC), *Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)*, 12 August 1949.

⁷ Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), 42. Original emphasis.

⁸ James Turner Johnson, *Ideology, Reason and Limitation: Religious and Secular Concepts 1200-1740* (Princeton, NJ: Princeton University Press, 1975), 42-44.

⁹ Richard Shelly Hartigan, “Noncombatant Immunity: Reflections on its Origins and Present Status,” *The Review of Politics* 29, 2 (1967), 207.

foundation of International Humanitarian Law (IHL). These treaties solidified in international law the civilian's right to immunity from direct military attack.

Over the last two decades, the POC norm has strengthened as one part of a larger set of military and humanitarian norms and has distinguished itself from the non-combatant immunity norm. Non-combatant immunity entails negative or passive protection outlined by traditional military approaches, such as those in the Geneva Conventions, which stipulate that soldiers must avoid targeting civilians. In contrast, POC entails a *duty* that stems from the civilian's *right* to protection. This duty justifies the use of force beyond self-defense in order to actively protect civilians from harm during conflict. The POC norm has continued to grow and evolve over the last two decades, and some have argued that it has become "the pre-eminent norm in the international legal regime."¹⁰ But compliance with the norm in practice is far from unanimous and is becoming increasingly difficult within the context of modern warfare.

The UN is at the forefront of developing POC as a concept and creating guidelines and training tools for its implementation in practice.¹¹ Originally, the UN (specifically the UNSC) dealt with matters of collective security between states. Chapter VI of the UN Charter authorizes the UN to conduct peacemaking activities upon invitation, while Chapter VII of the UN Charter authorizes the UN to enforce peace during instances of deliberate aggression. During the Cold War, the veto powers of the United States (US) and former Soviet Union made it difficult for the UN to play a military role in conflict resolution. Since the end of the Cold War, however, the international community has approved UN involvement in conflicts across the globe. Thus, the frequency of UN peace missions has increased considerably; the UN launched fifty-two peace missions between 1989 and 2012, as opposed to just fifteen between its birth and 1988.¹² In addition, the UN's focus has moved beyond matters of collective security between states to include matters of human rights within states, and the duties of UN peacekeepers have expanded to include POC.

¹⁰ Edwin Bikundo, "The Responsibility to Protect Civilians from Political Violence: Locating Necessity between the Rule and its Exception," in *Norms of Protection: Responsibility to Protect, Protection of Civilians and their Interaction*, eds. Angus Francis, Vesselin Popovski and Charles Sampford (United Nations University, 2012), 7.

¹¹ Stian Kjeksrud et al, "Protection of civilians in armed conflict—comparing organisational approaches," Norwegian Defence Research Establishment (FFI), FFI-rapport 2011/01888, 1 November 2011, 3.

¹² "List of Peacekeeping Operations: 1945-2013," United Nations Peacekeeping website, accessed 26 June 2013, <http://www.un.org/en/peacekeeping/documents/operationslist.pdf>.

Recently, the UN has begun to evoke its powers under Chapter VI and Chapter VII of its Charter to enforce the POC norm on the ground during African conflicts. In fact, the majority of UN peace missions with mandates to protect civilians have occurred in Africa. Thus, it is important to consider how African conflicts have influenced the development of the POC norm as a concept and how the POC norm has been implemented during UN peace missions in Africa in practice.

1.2 Research Aims

Using a Constructivist theoretical framework, this thesis aims to explain how the norm of civilian protection during conflict in Africa has evolved at the UN, beginning in 1992 with the UN peace mission in Somalia. It also aims to build upon existing Constructivist theory.

1.3 Defining Key Terms

Norms: Norms are collective expectations, understandings or standards of appropriate behavior for actors with a given identity.¹³

Peace missions: Because peace missions can now perform a wide range of tasks in a wide range of circumstances, efforts have been made to create typologies of peace missions. For example, the United Nations Department of Peacekeeping Operations (DPKO) distinguishes between conflict prevention, peacemaking, peacekeeping, peace enforcement and post-conflict peace-building:¹⁴

¹³ See note 4.

¹⁴ Despite efforts to create typologies, it is often not entirely clear which category a UN peace operation falls into. Moreover, peace missions since the 1990s are wont to oscillate between types.

Conflict prevention entails preventive diplomacy or the preventive deployment of troops before a conflict begins in order to “to prevent disputes from arising between parties.”¹⁵

Peacemaking refers to the diplomatic processes of brokering a negotiated end to a conflict once the conflict has begun, as foreseen under Chapter VI of the UN Charter.¹⁶

Peacekeeping entails military activities aimed at conflict control once a cease-fire has been signed between warring factions. It “involves a UN presence in the field...with the consent of the parties, to implement or monitor the implementation of arrangements relating to the control of conflicts...and their resolution” under Chapter VI of the UN Charter.¹⁷

Peace enforcement occurs without the consent of the warring parties. It “involves the application of a range of coercive [military] measures...used to restore international peace and security” or compel a cease-fire by UN soldiers, as foreseen under Chapter VII of the UN Charter.¹⁸

Post-conflict peace-building refers to “identifying and supporting measures and structures which will solidify peace and build trust and interaction among former enemies, in order to avoid a relapse into conflict” once the conflict has ended, including organizing and supervising elections, rebuilding infrastructure and institutions, and reconstructing the economy.¹⁹

For the purposes of this thesis, the term ‘peace missions’ refers to activities performed by UN military personnel encompassed in the DPKO’s definitions of peacekeeping, peace enforcement and peace-building. Thus, ‘peace missions’ entail: the deployment of UN soldiers to implement or monitor an existing cease-fire with the consent of the warring factions under Chapter VI of the UN Charter; the deployment of UN soldiers to forcibly compel a cease-fire between warring factions without their consent under

¹⁵ “Glossary of UN Peacekeeping Terms,” United Nations Department of Peacekeeping Operations Training Unit website, accessed 11 September 2013, <http://www.un.org/en/peacekeeping/sites/glossary/>.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ “Peace and Security,” United Nations Peacekeeping website, accessed 11 September 2013. <http://www.un.org/en/peacekeeping/operations/peace.shtml>.

¹⁹ “Glossary of UN Peacekeeping Terms,” United Nations Department of Peacekeeping Operations Training Unit website, accessed 11 September 2013, <http://www.un.org/en/peacekeeping/sites/glossary/>.

Chapter VII of the UN Charter; and the use of UN military personnel to conduct activities aimed at avoiding a relapse into conflict. This definition excludes activities encompassed in conflict prevention and peacemaking.

Protection of Civilians (POC): There is no consensus within the UN as to the definition of POC. POC objectives can “range from physical protection from imminent violence to provision of basic necessities through establishing a protective environment that enhances the safety and supports the rights of civilians.”²⁰ Each UN peace mission utilizes a different understanding of POC based on the context of the conflict, furthering the difficulty of articulating a unified definition within the organization.

For the purposes of this thesis, POC entails any activity performed by UN military actors (primarily peace soldiers) that enhances the security of civilians on the ground during a UN peace mission.²¹ Civilians are defined as non-combatants, those who do not play active military roles in a conflict.

1.4 Theoretical Framework

1.4.1 Constructivism Literature Review

Much work has been done on the growth of the civilian protection agenda and the role that peacekeepers play in protecting civilians during armed conflict.²² However, these

²⁰ Helen Durham and Eve Massingham, “Who is Protected Under International Humanitarian Law? Finding a Definition for ‘Direct Participation in Hostilities’,” in *Protecting Civilians During Violent Conflict: Theoretical and Practical Issues for the 21st Century*, ed. David Lowell and Igor Primoratz (Burlington, VT: Ashgate Publishing Company, 2012), 106.

²¹ This definition bears resemblance to Hugh Breaky’s concept of “peacekeeping POC.” Breaky conceptualizes POC as four separate concepts, reflective of the four types of actors who are most commonly deal with POC: combatant POC, peacekeeping POC, Security Council POC and humanitarian POC. Peacekeeping POC “is a conditional duty that falls upon peacekeepers when they undertake peace support operations in a region, requiring that they fulfill basic security and rights protection for local civilians” (Hugh Breaky, “POC in Armed Conflict: Four Concepts,” in *Norms of Protection: Responsibility to Protect, Protection of Civilians and their Interaction*, eds. Angus Francis, Vesselin Popovski and Charles Sampford (Tokyo: United Nations University Press, 2012), 50.)

²² Alex Bellamy and Paul Williams, *Protecting Civilians in Uncivil War* (Queensland: The Asia-Pacific Centre for the Responsibility to Protect, 2009); Francis, Popovski and Sampford (eds.), *Norms of Protection:*

works are descriptive narratives that lack any sort of theoretical component that conceptualizes POC as a norm. The theory that deals most extensively with norms is Constructivism. Constructivism is a theoretically informed approach to the study of international relations that seeks to explain the normative and ideational concerns that exist in the international system. It posits that norms, or standards of appropriate behavior, influence the behavior of actors as much as self-interest. While ideas are individualistic, norms are collective expectations of appropriateness given an actor's identity.²³ Constructivism seeks to explain how norms emerge, diffuse and become internalized, a process referred to as "norm dynamics."²⁴

The most seminal work on norms in the field of Constructivism is Martha Finnemore's and Kathryn Sikkink's concept of the norm life-cycle.²⁵ Finnemore and Sikkink describe the norm life-cycle as a three-stage process. First, norm entrepreneurs use an organizational platform to call attention to altruistic issues, empathetic concerns or ideational commitments. These entrepreneurs persuade the international community that these issues merit the creation of a new norm or the transformation of an existing one. If that norm becomes generally accepted, usually through codification, then it reaches a tipping point that leads to the second stage. The second stage, called a norm cascade, refers to the process of international socialization where actors²⁶ are persuaded to become norm followers. During this stage, the number of norm supporters increases rapidly. In the third (and last) stage, international actors internalize norms, making conformance to them nearly automatic. See Table 1.

Responsibility to Protect, Protection of Civilians and their Interaction; Victoria Holt and Glyn Taylor, *Protecting Civilians in the Context of Peace Operations* (Washington, D.C.: The Henry L. Stimson Center, 2009); Erin Weir, *Greater Expectations: UN Peacekeeping & Civilian Protection* (Washington, D.C.: Refugees International, 2009); Williams, *Enhancing Civilian Protection in Peace Operations: Insights from Africa*; Siobhan Wills, *Protecting Civilians: The Obligations of Peacekeepers* (Oxford: Oxford University Press, 2009).

²³ Thomas Risse and Kathryn Sikkink, "The socialization of international human rights norms into domestic practices: introduction," in *The Power of Human Rights: International Norms and Domestic Change*, eds. Thomas Risse, Stephen Ropp and Kathryn Sikkink (Cambridge: Cambridge University Press, 1999), 7.

²⁴ Carmen Wunderlich, "Theoretical Approaches to Norm Dynamics," in *Norm Dynamics in Multilateral Arms Control: Interests, Conflict and Justice*, ed. Harald Muller and Carmen Wunderlich (Athens, GA: University of Georgia Press, 2013), 20.

²⁵ Finnemore and Sikkink, "International Norm Dynamics and Political Change."

²⁶ Even norm breakers.

Table 1: Stages of Norms²⁷

	Stage 1: Norm Emergence	Stage 2: Norm Cascade	Stage 3: Internalization
Actors	Norm entrepreneurs with organizational platforms	States, international organizations, networks	Law, professions, bureaucracy
Motives	Altruism, empathy, ideational commitment	Legitimacy, reputation, esteem	Conformity
Dominant Mechanisms	Persuasion	Socialization, institutionalization, demonstration	Habit, institutionalization

Constructivist research over the past two decades on norms dynamics has proceeded in two “waves”:²⁸

During the first wave, Constructivist research on the second stage of the norm life-cycle focused almost exclusively on the norm cascade and the process of norm diffusion, specifically the processes of socialization that induce norm breakers to become norm followers. For example, Finnemore and Sikkink describe the norm cascade as a process whereby actors are persuaded to adopt norms because other actors with similar identities have already adopted the norm.²⁹ Legitimacy, conformity, reputation and esteem are the significant motives that drive socialization and the norm cascade.³⁰ Thomas Risse, Stephen Ropp and Sikkink argue that diffusion follows a “spiral model.”³¹ The spiral model emphasizes the interplay between society, state and international/transnational networks and suggests that diffusion occurs when transnational actors put pressure on domestic governments to comply through “naming and shaming strategies.”³² Finally, Margaret Keck and Sikkink argue that the norm cascade follows a “boomerang” pattern whereby domestic

²⁷ Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 898.

²⁸ Wunderlich, “Theoretical Approaches to Norm Dynamics,” 23.

²⁹ Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 902.

³⁰ Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 902-904.

³¹ Risse, Ropp and Sikkink (eds.), *The Power of Human Rights: International Norms and Domestic Change*, 20.

³² Wunderlich, “Theoretical Approaches to Norm Dynamics,” 25.

groups bypass the state and reach out directly to transnational advocacy networks.³³ These transnational advocacy networks are then able to enforce state compliance with a norm. Each model of cascade and diffusion conceptualizes norms as static phenomena, and thus they failed to adequately explain processes of change in normative content.³⁴

During the second wave, Constructivists began to move away from “linear, unidirectional” understandings of norm diffusion, focusing instead on “feedback loops” and other dynamic mechanisms that occur during the second stage of the life-cycle.³⁵ For example, Ole Elgstrom argues that norms are sometimes negotiated during the second stage of the life-cycle, for instance when they enter a new organizational context.³⁶ Negotiations between norm entrepreneurs and norm challengers often lead to revision of the norm before the norm is internalized. However, most research during the second wave conceptualized normative change as the replacement of existing norms with new ones, not as the revision or redefinition of existing norms.³⁷ For example, Constructivists explored how the rules against wartime plunder replaced the norm of “to the victor go the spoils.”³⁸ Thus, the second wave also largely ignored developments that occur to a norm during the second stage of its life-cycle.

Thus, Constructivism does not adequately explain how norms change over time,³⁹ particularly after emergence but before internalization (during the second stage).

1.4.2 The POC Norm and Constructivist Framework

If one considers the POC norm, it is apparent that normative change does occur during the second stage of Finnemore’s and Sikkink’s norm life-cycle. The non-combatant immunity norm, from which the POC norm stems, has been codified in IHL; the POC norm

³³ Margaret Keck and Kathryn Sikkink, “Transnational Advocacy Networks in International and Regional Politics,” *International Social Science Journal* 51, 159 (1999), 93.

³⁴ Wunderlich, “Theoretical Approaches to Norm Dynamics,” 24.

³⁵ Wunderlich, “Theoretical Approaches to Norm Dynamics,” 24-25.

³⁶ Ole Elgstrom, “Norm negotiations. The construction of new norms regarding gender and development in EU foreign aid policy,” *Journal of European Public Policy* 7, 3 (2000).

³⁷ Wunderlich, “Theoretical Approaches to Norm Dynamics,” 27.

³⁸ Wayne Sandholtz, “Dynamics of International Norm Change: Rules against Wartime Plunder,” *European Journal of International Relations* 14, 1 (2008), 122.

³⁹ Checkel, “The Constructivist Turn in International Relations Theory,” 340.

has been codified in organizational goals, suggested by the increasing number of non-governmental organizations (NGOs) committed to advancing human security and the adoption of thematic resolutions on POC by the UNSC. Codification signals the completion of the first stage of the POC norm's life-cycle. But compliance with the POC norm today is far from habitual, indicating that the norm, although codified, has not yet been internalized. The inevitable conclusion is that the POC norm remains in the second stage of the norm life-cycle, where it continues to evolve.

Normative evolution is evident in the articulation of new institutional goals regarding POC and subsequent efforts to implement these incrementally added measures on the ground. Over the past two decades especially, the UN has contributed to the evolution of the POC norm, steadily adding institutional goals regarding POC and thereby increasing the tasks peace soldiers are responsible for performing on the ground during UN peace missions. For example, the norm initially entailed protecting humanitarian workers and providing safe access for humanitarian aid to vulnerable populations. Starting in 1999, the POC norm additionally tasked peace soldiers with protecting civilians from imminent physical attack and stipulated that the UNSC could grant peace soldiers enforcement powers to do so. Since both the first and second waves of Constructivist research have struggled to adequately explain processes of norm revision and evolution, a new Constructivist framework is needed to understand how norms evolve during the second stage of the norm life-cycle:

This thesis conceptualizes norm evolution using Finnemore and Sikkink's Constructivist framework of the norm life-cycle, which posits that "[c]hange at each stage...is characterized by different actors, motives and mechanisms of influence."⁴⁰ The case study will be utilized to explore which actors, motives and mechanisms are most significant in the processes of norm evolution that occur during the second stage of the norm life-cycle. See Table 2.

⁴⁰ Finnemore and Sikkink, "International Norm Dynamics and Political Change," 895.

Table 2: Norm Evolution during the Second Stage of the Norm Life-Cycle

Actors	UN
Motives	Ideational influences and praxis-challenges
Dominant Mechanisms	Institutionalization and demonstration

The principal actor in the case study is the UN precisely because the UN is at the forefront of developing POC as a concept and creating guidelines and training tools for its implementation in practice.⁴¹ Methodologically, the UN will not be treated as a single actor. Instead, it will be analyzed as an organization composed of different organs and agencies, such as the Secretary-General and the UNSC. Little empirical research exists that seeks to understand how international organizations (IOs) such as the UN work internally,⁴² and therefore little is actually known about which organs, agencies, nation-states or individuals within the UN (or outside the UN) play important roles in norm evolution at the organization. Thus, a broader range of actors, including NGOs and transnational advocacy networks (TANs), will also be considered.

Steven Ratner's concept of a "normative intermediary" is helpful here.⁴³ A normative intermediary is a "party, authorized by states or an international organization seeking to promote observance of a norm, who...seeks to induce compliance through a hands-on process of communication and persuasion with relevant decision-makers."⁴⁴ A normative intermediary differs from a norm entrepreneur, who is responsible for the norm's emergence and codification. For example, as the UN representative on international displacement, Francis Deng has been considered a normative intermediary for his work promoting compliance with the *UN Guiding Principles on Internal Displacement*.⁴⁵ This thesis will consider the actors most responsible for defining and promoting normative

⁴¹ Stian Kjeksrud et al, "Protection of civilians in armed conflict—comparing organisational approaches," 3.

⁴² Barnett and Finnemore, *Rules for the World: International Organizations in Global Politics*, (Ithaca, NY: Cornell University Press, 2004), ix.

⁴³ Steven Ratner, "Does International Law Matter in Preventing Ethnic Conflict?" *New York University Journal of International Law & Politics* 32, 91 (2000).

⁴⁴ Ratner, "Does International Law Matter in Preventing Ethnic Conflict?" 668.

⁴⁵ Hannah Entwisle, "Tracing Cascades: The Normative Development of the UN Guiding Principles on Internal Displacement," *Georgetown Immigration Law Journal* 19 (2004-2005).

evolution within the UN to be ‘normative intermediaries,’ who may be different from the actors most capable of demonstrating normative evolution on the ground.

In this thesis, I focus on two principal motives behind norm evolution: ideational influences and praxis-challenges.⁴⁶ Ideational influences are defined here as ideas concerning appropriate behavior that are geared toward changing existing policy or practice. It is well documented that ideas concerning appropriate behavior are constantly evolving.⁴⁷ According to the Constructivist ‘logic of appropriateness,’ as ideas and norms concerning appropriate behavior change, they can also promote change in other norms.

Praxis-challenges are defined here as challenges that occur when implementing goals. Actors may be motivated to promote normative evolution when challenges occur during the implementation of a norm on the ground. In fact, some Constructivists argue that the Rationalists’ ‘logic of consequences’ is as much a predictor of behavior as the Constructivists’ logic of appropriateness.⁴⁸

Finally, the dominant mechanisms of normative evolution considered in this thesis include the institutionalization of normative change in policy and the demonstration of normative change in practice. Institutionalization in policy refers to the documented rhetoric of the POC norm within the UN. It includes speeches, reports produced by internal inquiries, reports produced by panels and UNSC Resolutions. Discourse analysis, which traces changes in rhetoric in the speeches and policies of actors, will be helpful in tracing the institutionalization of the POC norm in policy. Institutionalization also refers to expanding organizational capacity in response to normative development. Demonstration refers to the implementation of the POC norm on the ground by peace soldiers.

In summation, the Constructivist framework employed in this thesis aims to identify the main actors, motives and mechanisms responsible for normative evolution during the second stage of the POC norm’s life-cycle. It also aims to build upon existing Constructivist theory. Specifically, it will seek to answer the following questions:

⁴⁶ These motives are not mutually exclusive.

⁴⁷ Jean-Philippe Therien, “Human Security: The Making of a UN Ideology,” *Global Society* 26, 2 (2012), 193.

⁴⁸ Martha Finnemore, *The Purpose of Intervention: Changing Beliefs about the Use of Force* (Ithaca, N.Y.: Cornell University Press, 2003); Scott Fitzsimmons, “A Rational-constructivist Explanation for the Evolution and Decline of the Norm against Mercenarism,” *Journal of Military and Strategic Studies* 11, 4 (2009).

Who are the main actors that define and promote normative evolution within the UN? Who are the main actors that are capable of demonstrating normative evolution on the ground? Is normative evolution at the UN motivated primarily by ideational influences or praxis-challenges? Finally, does normative evolution occur primarily through institutionalization or demonstration?

How does the evidence from this thesis' case study help build upon existing Constructivist theory? Do the norm dynamics in the case study confirm or contradict those put forth by Finnemore's and Sikkink's Constructivist framework, specifically with regard to the second stage of the norm life-cycle?

1.5 Research Methodology

In order to answer the research question, I will use qualitative methods and engage with both primary and secondary literary sources. Primary sources include, but are not limited to, UN documents and international conventions concerning POC. Secondary sources include books, journal articles, newspaper articles and working papers.

This is a theory-building thesis.⁴⁹ I will utilize the case study method, which is closely connected to the comparative method.⁵⁰ The case studies are hypothesis-generating case studies, which "start out with a more or less vague notion of possible hypotheses, and attempt to formulate definite hypotheses to be tested subsequently among a larger number of cases."⁵¹ The objective is to generate "theoretical generalizations in areas where no theory exists yet,"⁵² in this case to generate theoretical generalizations about normative evolution during the second stage of the norm's life-cycle in order to build upon existing Constructivist theory. The theoretical framework of Constructivism utilized in this thesis is outlined in Chapter 1. The Constructivist framework relates only to the actors, motives and

⁴⁹ It has been noted that Constructivists need to engage more with theory development (Checkel, "The Constructivist Turn in International Relations Theory," 342).

⁵⁰ Arend Lijphart, "Comparative Politics and the Comparative Method," *The American Political Science Review* 65, 3 (Sep., 1971), 691.

⁵¹ Lijphart, "Comparative Politics and the Comparative Method," 692.

⁵² Ibid.

mechanisms that have been most responsible for normative change during the second stage of the norm's life-cycle.

In Chapters 2-5, the Constructivist framework will be applied to the case study. The protection of civilians during UN peace missions is the case study. The case study is broken down into four different UN peace missions in Africa: Somalia, Rwanda, Sierra Leone and the Sudan. My analysis starts with Somalia because Somalia represents the beginning of the UN's involvement in POC during its peace missions in Africa. The UN's inability to accomplish broader, more complex tasks related to POC in Somalia had a significant impact on POC in subsequent missions, including Rwanda. The UN mission in Rwanda is significant to this thesis because the Rwandan genocide indicated a massive failure on the part of the UN to protect civilians in the midst of ongoing conflict, though this failure ultimately became a catalyst within the international community to create greater safeguards for civilians during conflicts. The UN mission in Sierra Leone was the first peace mission that the UN explicitly mandated to protect civilians. Afterwards, it would become standard practice for the UN to explicitly include POC in the mandates of its peace missions. Finally, the UN mission in Sudan is significant to this thesis not only because it was explicitly mandated to protect civilians, but also because the mission occurred after most of the significant growth of the POC norm had already occurred. In Chapter 6, I will present the cumulative findings on the research. The conclusions will contribute to both the literature on POC during UN peace missions in Africa and to Constructivist theory.

1.6 Chapter Outline

In order to adequately answer the research questions, the thesis will be structured into six chapters.

Chapter 1: Introduction

This introductory chapter contains the background, problem statement, research aims, key definitions, Constructivist literature review and framework, research methodology and chapter outline.

Chapter 2: Somalia

Missions: United Nations Operation in Somalia I (UNOSOM I), United Task Force (UNITAF) and United Nations Operation in Somalia II (UNOSOM II).

Chapter 3: Rwanda

Missions: United Nations Assistance Mission for Rwanda (UNAMIR) and United Nations Assistance Mission for Rwanda II (UNAMIR II).

Chapter 4: Sierra Leone

Mission: United Nations Mission in Sierra Leone (UNAMSIL).

Chapter 5: Sudan

Mission: United Nations Mission in the Sudan (UNMIS).

Chapter 6: Normative Evolution and Constructivist Theory

The final chapter contains the cumulative findings of the research undertaken in accord with its aims. It concludes with recommendations for further research.

Chapter 2

Somalia: Normative Evolution during the UN Peace Mission in Somalia (UNOSOM)

2.1 Introduction

From April 1992 to March 1995, the UN conducted a peace mission in Somalia. The mission was composed of three parts: UNOSOM I (April 1992-December 1992), UNITAF (December 1992-March 1993) and UNOSOM II (March 1993-March 1995). The purpose of this chapter is to explore how the POC norm evolved during the course of UNOSOM (April 1992-March 1995) using the Constructivist framework outlined in Chapter 1. The objective is to determine the main actors, motives and mechanisms responsible for normative evolution. First, I provide background information that outlines the national and international context and explains the state of the POC norm at the start of UNOSOM. Then, I employ the following questions in order to achieve the stated objective:

Who were the main actors that defined and promoted normative evolution within the UN during UNOSOM? Who were the main actors that were capable of demonstrating normative evolution on the ground? Was normative evolution at the UN during UNOSOM motivated primarily by ideational influences or praxis-challenges? Finally, did normative evolution occur during UNOSOM through institutionalization or demonstration?

2.2 Background: The POC Norm Prior to UNOSOM

2.2.1 National Context

In early 1991, a coalition of clan-based opposition groups under the umbrella of the United Somali Congress (USC) stormed Somalia's capital, Mogadishu, and forced the ruling military dictator, General Mohammed Siad Barre, out of the city. Somalia then plunged into

intrastate war⁵³ and virtual anarchy as the USC split and Somalia's opposition groups began vying for control in the subsequent power vacuum. By late 1991, every government institution had collapsed along with at least sixty percent of the country's basic infrastructure.⁵⁴ In the absence of an official government, warlords effectively controlled Somalia's political economy.

In this context of inter-communal warfare, the Somali warlords and their militias deliberately attacked civilians. But more civilians died as an indirect result of the warlords' efforts to siphon off humanitarian aid flowing into the country. In 1991, severe drought, in combination with the ensuing conflict and state disintegration, had created a devastating humanitarian crisis in Somalia. Relief agencies began distributing food and medical relief to the starving Somalis. Many armed factions under the warlords' control began to steal food and other supplies from the relief agencies that they would then use to recruit soldiers. This only further exacerbated the humanitarian crisis. By 1992, 350,000 Somalis had died as a result of conflict, famine and disease,⁵⁵ and nearly four and a half million people, more than half of Somalia's total population, were on the brink of starvation.⁵⁶

⁵³ Each conflict considered in this thesis meets the criteria to be considered a "civil war," an "internal conflict in which at least 1000 battle related deaths (civilian and military) occurred per year" (Paul Collier and Anke Hoeffler, "Greed and Grievance in Civil War," World Bank Policy Research Paper No. 2355, May 2000, 15). For the purposes of this thesis, however, internal conflicts in which at least 1000 battle related deaths (civilian and military) occurred per year will be considered intrastate wars. This classification allows for greater contextualization to be made regarding the war's main aggressor and the main perpetrator of violations against civilians. In a civil war, the national government and the rebel groups can be assumed to be mutually antagonistic. But an intrastate conflict may refer to: inter-communal wars in the absence of an official government (state collapse), during which non-governmental groups within a state vie for power and are the main perpetrators of violations against civilians (Somalia); government repression of a civilian population, where the government leads an organized, efficient campaign against its own people and is the main perpetrator of violations against civilians (Rwanda); revolutions led by rebel groups against government, where the rebel groups are the main perpetrators of violations against civilians (Sierra Leone); and civil wars, where the government and rebel groups (either vying for a regime change or leading a separatist movement) are mutually antagonistic and both responsible for violations against civilians, though one may be more responsible than the other (Sudan) (Meredith Reid Sarkees and Phil Schafer, "The Correlates of War Data on War: an Update to 1997," *Conflict Management and Peace Science* 18,1 (2000); Halvard Buhaug, "Relative Capability and Rebel Objective in Civil War," *Journal of Peace Research* 43,6 (2006)).

⁵⁴ "United Nations Operation in Somali I," United Nations website, accessed 29 October 2012, www.un.org/en/peacekeeping/missions/past/unosomi.htm.

⁵⁵ Milton Leitenburg, "Deaths in Wars and Conflicts in the 20th Century," Cornell University Peace Studies Program Occasional Paper No. 29, 2006 (3rd edition), 8.

⁵⁶ "United Nations Operation in Somali I," United Nations website, accessed 29 October 2012, www.un.org/en/peacekeeping/missions/past/unosomi.htm.

2.2.2 International Context

During the Cold War, the UN preached that using force for anything other than self-defense was a violation of the UN Charter, including using force to protect civilians from gross human rights abuses.⁵⁷ Institutionally, the UN conceived of POC as the avoidance of targeting civilians during conflict. It implemented POC during its peace missions throughout the Cold War in the same way.

The conclusion of the Cold War altered the existing global power structure. The triumph of democracy over communism ushered in a new world order with the US on top. This new world order led to considerable US hubris and had a significant impact on the UNSC, specifically on the UNSC's ability to authorize peace missions and its willingness to authorize force to protect civilians during intrastate wars. Two things in particular altered the UN's stance on POC leading up to and during UNOSOM: Operation Provide Comfort and the UN Protection Force in Former Yugoslavia (UNPROFOR).

In the immediate aftermath of the Gulf War (1990-1991), as many as 1,000 Kurds were dying every day as they fled into the mountains near Turkey and Iran in order to escape persecution.⁵⁸ The UN had previously authorized its member states to use force in order to restore international peace and security in the area,⁵⁹ but it refused to authorize the use of force in order to physically protect the Kurds fleeing persecution. Some members of the Security Council feared that authorizing the use of force to protect civilians would set a dangerous precedent for intervention, one that would put state sovereignty at risk. However, the UN's conceptions about POC were challenged by a US-led coalition of states led that took a more aggressive stance with Operation Provide Comfort, launched in April 1991. The coalition set up a no-fly zone over Northern Iraq while Western military forces on the ground organized 'safe havens' to protect the Kurds. Operation Provide Comfort was considered a great success, as thousands of Kurds who otherwise would have died were saved.⁶⁰

⁵⁷ Nick Wheeler, *Saving Strangers* (Oxford: Oxford University Press, 2000), 1.

⁵⁸ Wheeler, *Saving Strangers*, 140.

⁵⁹ United Nations Security Council, S/RES/678, 29 November 1990.

⁶⁰ Wheeler, *Saving Strangers*, 158.

Operation Provide Comfort's success made the international community, including the UN, optimistic about its ability to protect civilians. Within months of Operation Provide Comfort, UN rhetoric on POC began to change. At the Security Council's first ever summit meeting with Heads of State and Government in January 1992, several references to human rights as an integral component to international peace and security were made.⁶¹ Internal affairs of states that were previously shielded by the UN's respect of state sovereignty became matters of international peace and security. The UN believed it now had jurisdiction over violations of human rights, humanitarian disasters and civil wars and could respond to such incidents under Chapter VII of the UN Charter.

Newly confident in its ability to tackle these issues, the UN began to expand the scope and capabilities of the mandates and Rules of Engagement (ROE) for its peace missions to include broader elements of POC. In February 1992, the UN authorized the UN Protection Force in Former Yugoslavia (UNPROFOR). The conflict in Yugoslavia was characterized in part by its shocking disregard for non-combatant immunity, and the UNPROFOR made efforts to protect civilians trapped amidst the fighting. For example, the UN authorized UNPROFOR under Chapter VII to use "all necessary means" to deliver humanitarian aid⁶² and protect civilians residing in demilitarized zones in Bosnia and Croatia, known as 'safe areas'.⁶³ However, the UN experienced difficulties in procuring additional troops from its member states to guard these safe areas effectively, and UNPROFOR's consistent failure to act upon its Chapter VII authorizations prompted international media and NGOs to criticize the UN. UNPROFOR ran concurrently with UNOSOM, and difficulties regarding POC experienced in former Yugoslavia would have an impact on the UN's POC decisions regarding UNOSOM.

In summation, the new world order, Operation Provide Comfort and UNPROFOR each had a significant impact on the POC norm during UNOSOM. Whereas the UN had previously hesitated to use force to achieve humanitarian objectives, it approached Somalia optimistic that force could be used to protect civilians and restore peace and security to Somalia.

⁶¹ Wills, *Protecting Civilians: The Obligations of Peacekeepers*, 23.

⁶² United Nations Security Council, S/RES/770, 13 August 1992.

⁶³ United Nations Security Council, S/RES/836, 4 June 1993.

2.3 Actors

This section explores which actors were most responsible normative evolution during UNOSOM. Who were the main actors that defined and promoted normative evolution within the UN? Who were the main actors that were capable of demonstrating normative evolution on the ground?

In the late 1980s and early 1990s, changes in global politics and the rapid escalation of globalization altered the landscape of the UN, expanding the number of actors with the potential to be normative intermediaries there. Most notably, interactions between the UN and NGOs dramatically increased beginning in 1990, specifically between the UNSC and NGOs.⁶⁴ As Cold War tensions thawed and the Security Council began to take “unprecedented action in the area of sanctions, peacekeeping, election monitoring, policing, and post-conflict peace-building,” NGOs with interests in international peace and security began to follow the work of the Security Council much more closely.⁶⁵ Some Council members, overwhelmed by the work of managing their new responsibilities in dozens of crisis areas, welcomed this new relationship with NGOs. Many NGOs remained active in conflict areas after UN agencies left, and thus they were relied upon to provide information, expertise and policy ideas.⁶⁶

In Somalia, NGOs on the ground in 1991 helped convince the UN to muster a greater humanitarian response. Initially, the UN dealt with Somalia’s deepening humanitarian crisis and ensuing civil war separately. In late 1991, the UN and most foreign governments had decided that it was too dangerous to remain in Somalia and fled to Nairobi, Kenya. Some NGOs, notably the International Committee of the Red Cross (ICRC), maintained their presence in Somalia. In Mogadishu, an NGO called SOS ran the only functioning hospital, and *Medicins sans Frontieres* (MSF) provided 80 percent of all medical supplies and drugs

⁶⁴ James Paul. “Working with Nongovernmental Organizations,” in *The UN Security Council: From the Cold War to the 21st Century*, ed. David Malone (Boulder, CO: Lynne Rienner Publishers, 2004), 373.

⁶⁵ Paul, “Working with Nongovernmental Organizations,” 374.

⁶⁶ Ibid.

used by the remaining health care facilities.⁶⁷ Due to the efforts of the NGOs, the Somalis gradually began to return to Mogadishu in March 1992.⁶⁸ In contrast, the UN's initial humanitarian assistance to Somalia was "so slowly and inadequately delivered that it became counterproductive."⁶⁹ The NGOs became deeply critical of the UN for not doing more. As its work shifted from addressing interstate wars to issues of internal strife, the UNSC had come to rely upon on the expertise and action of NGOs,⁷⁰ and thus this criticism from the NGOs helped generate a greater humanitarian response from the UN.

With regard to the civil war, the Security Council unanimously authorized a peacekeeping force for Somalia after the leaders of Somalia's two principal warring factions signed a cease-fire agreement on 3 March 1992. Under Chapter VI of the UN Charter, Resolution 751 approved the creation of the UNOSOM I, which would consist of a 50-member observer mission and 500 lightly-armed peace soldiers to monitor the cease-fire.⁷¹ Resolution 751 did not represent a break with the UN's Cold War-approach to POC. NGOs, along with the humanitarian organs of the UN, worked to improve civilian security by administering emergency relief and creating safe space. Militarily, the UN's goals related only to the cease-fire.

Almost immediately after the passing of Resolution 751, however, the UN Secretariat and UNSC began to envision a larger role for its peace soldiers on the ground.⁷² In August 1992, Boutros-Ghali stated that the UN needed to employ a comprehensive strategy that covered both humanitarian relief and the cessation of hostilities,⁷³ and the Security Council unanimously decided to increase the strength of UNOSOM I in order to

⁶⁷ Mohamed Sahnoun, *Somalia: The Missed Opportunities* (Washington, D.C.: The United States Institute of Peace, 1994), 9.

⁶⁸ Most residents had fled the capital after the worst fighting of the civil war, which occurred between November and December 1991, stripped 500,000 people of their basic services and left 30,000 dead (Sahnoun, *Somalia: The Missed Opportunities*, 11).

⁶⁹ Sahnoun, *Somalia: The Missed Opportunities*, 17-18.

⁷⁰ Paul, "Working with Nongovernmental Organizations," 375.

⁷¹ United Nations Security Council, S/RES/751, 24 April 1992.

⁷² The UN's Special Representative to Somalia, Mohamed Sahnoun, experienced great difficulty in getting Aided to agree to the presence of peace soldiers in Mogadishu. The deployment of these peace soldiers was greatly delayed, until September 1992. By then, the humanitarian situation had deteriorated significantly. Not enough aid was coming into the country; Sahnoun lamented that a minimum of 50,000 metric tons was needed, but less than half that amount had been pledged. Moreover, little of the aid coming into the country was getting to those in need because the warring factions had begun to systematically loot supplies from the UN and other NGOs (Sahnoun, *Somalia: The Missed Opportunities*, 18).

⁷³ United Nations Secretary-General, S/24480, 24 August 1992.

provide security for the UN humanitarian staff and other NGOs attempting to deliver aid to the starving Somalis.⁷⁴ UNOSOM I was not authorized the use force, and it was hoped that the presence of peace soldiers alone would deter attacks. UNOSOM I became the first UN peace mission with the primary purpose of making possible the delivery of emergency aid to civilians.⁷⁵

At this point, the Secretary-General suggested to the Security Council that the UN carry out a country-wide enforcement operation.⁷⁶ It was clear, however, that the UN did not have the capacity to pull off an enforcement operation. Instead, the US offered to lead an enforcement operation. The entire military force, called the United Task Force (UNITAF), would be under US control, authorized by the Security Council in Resolution 794 under Chapter VII of the UN Charter.⁷⁷ UNITAF marked the first time that the UN had authorized peace soldiers to use of force for humanitarian ends.⁷⁸ The US field commander, US Marine Lieutenant General Robert Johnston, under the auspices of American President George Bush and Chairman of the Joint Chiefs of Staff Colin Powell, determined that the deployment of the US Marine Corps would be “strictly humanitarian” and the soldiers would “use only whatever force was necessary to protect themselves and food convoys.”⁷⁹

Thus, from the start, the United Task Force (UNITAF) was conceived as a short-term, high-intensity operation designed to establish a secure environment for humanitarian relief operations. Once the worst of the humanitarian crisis had subsided, a UN-led operation would take over. As early as December 1992, both the UN and the US argued that the UN-led follow-up mission would need to have a broad mandate and the ability to use

⁷⁴ United Nations Security Council, S/RES/775, 28 August 1992.

⁷⁵ Boutros Boutros-Ghali, *The United Nations and Somalia 1992-1996* (New York: United Nations Department of Public Information, 1996), 24.

⁷⁶ United Nations Secretary-General, S/24868, 20 November 1992.

⁷⁷ United Nations Security Council, S/RES/794, 3 December 1992. This was Bush’s ‘coalition model’ that had worked so well in the Persian Gulf, and the US believed it would also work against the warlords in Somalia (Boutros Boutros-Ghali, *Unvanquished: A US-UN Saga* (New York: Random House, 1999), 58). Bush had initially refused to intervene in Somalia because of the US presidential campaign. After his defeat in November 1992, however, he began to consider US military intervention more seriously. Growing support from Congress, increasing concern from the American public, and mounting pressure from media and NGOs eventually convinced Bush “that the United States had a moral obligation to respond in some way to the humanitarian crisis” (Jane Boulden, *Peace Enforcement: The United Nations Experience in Congo, Somalia, and Bosnia* (Westport, CT: Praeger Publishers, 2001), 59).

⁷⁸ Boutros-Ghali, *The United Nations and Somalia 1992-1996*, 33.

⁷⁹ Ibid.

force in order to permanently restore peace in Somalia and prevent famine from reoccurring there. According to Boutros-Ghali:

Indeed, United States officials had proposed this change in the nature of the follow-up force—from peace-keeping to peace enforcement—as early as 18 December 1992 in consultations with senior United Nations officials about the transition from UNITAF. This implied...a peace-enforcement mission under the command of the United Nations—an endeavor which the Organization had never before undertaken.⁸⁰

Boutros-Ghali understood that the UN was likely to struggle with a peace enforcement operation, and he implored the US to take on disarmament duties, at the very least. Bush, however, was adamant that UNITAF would work in Somalia no longer than necessary. UNITAF, 37,000 strong, was able to create a safe enough environment for the UN to carry out its 100-Day Action Programme in coordination with NGOs. Rates of looting, extortion and attacks dropped sharply throughout central and southern Somalia.⁸¹

UNITAF withdrew from Somalia in May 1993. UNOSOM II marked the first Chapter VII military operation under command and control of the UN. The US, however, kept strong control over the scope and strategy of UNOSOM II. The US employed a Joint Task Force, Quick Reaction Force, US Rangers and Delta commandos to fight alongside the UNOSOM II forces, and these forces took orders from US commanders and were guided by US Central Command (CENTCOM) in Florida. Boutros-Ghali made Admiral Jonathan Howe, who had been Deputy National Security Adviser in the Bush administration, his Special Representative to Somalia. The first draft of Security Council Resolution 814, which authorized UNOSOM II, was written in the Pentagon.⁸²

During UNOSOM II, tasks traditionally undertaken by the UN's Department of Political Affairs (DPA) came under the auspices of the peace soldiers. UNOSOM II soldiers were tasked with promoting political reconciliation between Somalia's warring factions and building Somalia's national institutions because both the UN and US felt that the Somalia would remain on the verge of humanitarian crisis if the national government and

⁸⁰ Boutros-Ghali, *The United Nations and Somalia 1992-1996*, 42.

⁸¹ Boutros-Ghali, *The United Nations and Somalia 1992-1996*, 35

⁸² Walter Clarke, "Failed Visions and Uncertain Mandates in Somalia," in *Learning from Somalia: The Lessons of Armed Humanitarian Intervention*, eds. Walter Clarke and Jeffrey Herbst (Boulder, CO: Westview Press, 1997), 9.

the national infrastructure were not rebuilt. In addition to rebuilding the national infrastructure and reconstituting local and national governments, UNOSOM II soldiers were tasked with implementing disarmament programs, facilitating mine clearance, and reconstituting administrative structures, police forces and judiciaries. They also coordinated humanitarian efforts⁸³ to improve health care, restore food security, facilitate the return of thousands of Somalis to their homes and provide access to schools, water and electricity. As of May 1993, it was the UN's most ambitious POC approach.

General Mohamed Farah Aideed, the leader of one of Somalia's principal warring factions, reacted violently to the UN's more aggressive stance on disarmament and political reconciliation. On 5 June 1993, Pakistani forces under UNOSOM II were attacked while conducting a search of a weapons repository by Aideed's forces. Twenty-four peace soldiers died, prompting the UN to pass Resolution 837, authorizing the UNOSOM II to use force against those responsible for the armed attacks.⁸⁴ On 3 October 1993, US soldiers outside the formal command of the UN led an operation in Mogadishu to capture Aideed. The operation was approved by the national command authorities in the US and commanded by a US Special Forces officer, Major General William Garrison, who reported directly to CENTCOM.⁸⁵ The operation failed, and eighteen American Rangers died.

In response to the deaths of the eighteen American soldiers, the US announced its decision to withdraw its troops from Somalia in March 1994. The US' decision prompted other nations to withdraw their troops as well. UNOSOM II was effectively reduced to two-thirds of its initial size. In February 1994, the Security Council reduced the size of UNOSOM II and took away the mission's enforcement powers to achieve disarmament, procure a cease-fire and protect humanitarian supplies.⁸⁶ Without enforcement powers, UNOSOM II struggled to meet its objectives. The Security Council decided that, without the consent and

⁸³ The efforts of multiple organizations had to be coordinated, including those of the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the World Food Programme (WFP), the Food and Agriculture Organization (FAO), the World Health Organisation (WHO), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Educational, Scientific and Cultural Organisation (UNESCO) (Boutros-Ghali, *The United Nations and Somalia 1992-1996*, 4).

⁸⁴ United Nations Security Council, S/RES/837, 6 June 1993.

⁸⁵ Walter Clarke and Jeffrey Herbst, "Somalia and the Future of Humanitarian Intervention," in *Learning from Somalia: The Lessons of Armed Humanitarian Intervention*, eds. Walter Clarke and Jeffrey Herbst (Boulder, CO: Westview Press, 1997), 241.

⁸⁶ United Nations Security Council, S/RES/897, 4 February 1994.

cooperation of Somalia's political factions, it would be better to end the mission. UNOSOM II troops withdrew from Somalia in March 1995.

In summation, between April 1992 and March 1995, many actors helped define and promote changes to the POC norm. Initially, NGOs helped convince the UN Secretariat, UNSC and the US to make stronger humanitarian efforts in Somalia. By August 1992, there was consensus within the UN on enhancing UNOSOM's role in POC; all UNSC Resolutions dealing with Somalia between 1992 and 1995 were voted on unanimously. Together, the UN and the US broadened UNOSOM's POC objectives to include peace-building activities traditionally taken on by the DPA. However, the UN was only able to demonstrate its new POC commitments with the help of the US, and very quickly the US took over the implementation of POC on the ground in Somalia. When the US withdrew its troops from Somalia in 1994, the UN was forced to retreat to its traditional POC approach.

2.4 Motives

This section explores which motives best explain normative evolution during UNOSOM. Was normative evolution at the UN during UNOSOM motivated primarily by ideational influences or praxis-challenges?

Boutros-Ghali was convinced that UN peace missions could play a major role in the post-Cold War era. In January 1992, he presented his report *An Agenda for Peace, Preventive Diplomacy, Peacemaking and Peace-keeping* at the Security Council's first ever summit meeting with Heads of State and Government. In *An Agenda for Peace*, Boutros-Ghali addressed the future of UN peace missions in light of Operation Provide Comfort's success. He wrote:

In these past months a conviction has grown, among nations large and small, that an opportunity has been regained to achieve the great objectives of the Charter—a United Nations capable of maintaining international peace and security, of securing

justice and human rights...The Organization must never again be crippled as it was in the era that has now passed.⁸⁷

The dissolution of the Somalia government and the subsequent humanitarian crisis in that nation provided the UN with the opportunity to fulfill its newly articulated promise. The UN believed that the creation of UNOSOM was “consistent with the expansion of the organization’s role in the maintenance of international peace and security, which had been made possible by the end of the Cold War.”⁸⁸

Boutros-Ghali, with full support from the Security Council, pushed for a broader conception of POC for UNOSOM based on these ideational influences. From the start, however, challenges in Somalia made nation-building and political reconciliation nearly impossible.⁸⁹ For example, there were virtually no political leaders with international credibility for mediators to engage in peace-making. Most of the warlords used internationally sponsored peace conferences to enhance their status, not to work toward reconciliation.⁹⁰ At the local level, clan elders were being systematically undermined by the destructive forces of the civil war. They were “demoralized by the violence, eclipsed in authority by the warlords, separated from the communities they led by massive population displacement,” and ultimately of little help to the UN.⁹¹ Yet, even in the face of these severe operational challenges, the UN, under the auspices of the US, continued to believe that using force to accomplish political goals would work. UNOSOM II was meant to be “an expression of the international community’s determination not to remain a silent spectator to the sufferings of an entire people for no fault of their own.”⁹²

It was only after the US announced its intention to withdraw its forces from Somalia that the UN began to change its POC approach in response to operational challenges on the

⁸⁷ Boutros Boutros-Ghali, *An Agenda for Peace, Preventive Diplomacy, Peacemaking and Peace-keeping*, Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992, A/47/277-S/24111, 17 June 1992, paragraph 3.

⁸⁸ Boutros-Ghali, *The United Nations and Somalia 1992-1996*, 32.

⁸⁹ Ken Menkhaus, “International Peacebuilding and the Dynamics of Local and National Reconciliation in Somalia,” in *Learning from Somalia: The Lessons of Armed Humanitarian Intervention*, eds. Walter Clarke and Jeffrey Herbst (Boulder, CO: Westview Press, 1997), 42-44.

⁹⁰ Andrew Natsios, “Humanitarian Relief Intervention in Somalia: The Economics of Chaos,” in *Learning from Somalia: The Lessons of Armed Humanitarian Intervention*, eds. Walter Clarke and Jeffrey Herbst (Boulder, CO: Westview Press, 1997), 86.

⁹¹ Ibid.

⁹² United Nations Secretary-General, S/25254, 3 March 1993.

ground. The Security Council took away UNOSOM's authorization to use force, returning to its Cold War-approach to POC. This response ignored the fact that, while the UN had not been successful at enforcing peace, it had been successful at using force to deliver humanitarian aid. At the famine's worst, it was estimated that approximately four and a half million Somalis required emergency assistance. Nearly one and a half million Somalis were on the verge of starvation, including one million children.⁹³ Together, UNITAF and UNOSOM were able to restore food security, return crop production to pre-civil war levels, and eradicate the famine by 1993, saving at least 250,000 people.⁹⁴

Despite its successes, the UN decided to abandon its broader strategies of POC altogether in Somalia. This retreat was not only in response to operational challenges, but also to harsh criticism from the international community, Americans in particular, over the deaths of the peace soldiers and the collapse of the peace process. The UN largely took the blame for American mistakes, and many believed the opinion of one American Senator who wrote that American lives were lost because the US surrendered its interests and leadership to the UN.⁹⁵ The UN worried that its 'failure' in Somalia would mean a loss of legitimacy and credibility, and so it retreated to its traditional approach to POC, where POC was not enforced but rather based on the consent and cooperation of the parties in the host nation.

Thus, the evolution of the POC norm during the UN peace mission in Somalia was motivated by ideational commitments to becoming a stronger, more influential UN in the post-Cold War era. The subsequent retreat from militarizing humanitarian and development objectives was motivated by the praxis-challenges presented during the implementation of the norm.

⁹³ Boutros-Ghali, *The United Nations and Somalia 1992-1996*, 6.

⁹⁴ Ibid.

⁹⁵ Mitch McConnell, "Multilateralism's Obituary Was Written in Mogadishu," *Christian Science Monitor*, 27 October 1993, 19.

2.5 Mechanisms

This section explores the mechanisms behind normative evolution during UNOSOM. Did normative evolution occur during UNOSOM primarily through institutionalization or demonstration?

During UNOSOM, there was large-scale institutionalization of normative evolution within the UN in rhetoric, organizational capacity and Security Council resolutions. The UN articulated its new strategy of using peace missions to achieve POC objectives previously taken on by humanitarian and development actors in *An Agenda for Peace*. In *An Agenda for Peace*, Boutros-Ghali preached that the UN could breach state sovereignty if a state violated a new set of threats to peace and security, “including violations of human rights, genocide, civil war, humanitarian disasters, and other crises internal to states.”⁹⁶ Boutros-Ghali envisaged an expanded role of UN peace soldiers in this new world order, and both he and the Security Council “welcome[d] the increase and broadening of the tasks of peace-keeping operations,”⁹⁷ including peace-making and peace-building objectives. He even urged member states to make a standing military force of peace soldiers available to the Security Council.

The standing military force of peace soldiers never materialized, but under Boutros-Ghali’s influence the UN did create the Department of Peacekeeping Operations (DPKO) to manage and coordinate its expanding peace missions in early 1992. Before the creation of the DPKO, UN peace missions were created and managed on an *ad hoc* basis. The DPKO resulted from Boutros-Ghali’s suggestion in *An Agenda for Peace*, where he wrote that the expansion of UN peacekeeping activities⁹⁸ meant that “fundamental decisions must be taken to enhance the capacity of the Organization in this innovative and productive

⁹⁶ Adam Branch, “American Morality over International Law: Origins in UN Military Interventions, 1991-1995,” *Constellations* 12, 1 (2005), 108.

⁹⁷ Boutros Boutros-Ghali, *An Agenda for Peace, Preventive Diplomacy, Peacemaking and Peace-keeping*, paragraph 49.

⁹⁸ Thirteen UN peace-keeping operations had been established between 1988 and 1982 alone—the same amount that had been established between the organization’s inception and 1987.

exercise of its function.”⁹⁹ The creation of the DPKO reflected the UN’s intentions to continue expanding the scope and capabilities of its peace missions.

Finally, the Security Council institutionalized normative evolution in the Resolutions for UNOSOM. Resolution 775 made UNOSOM I became the first UN peace mission with the primary purpose of making possible the delivery of emergency aid to civilians. Resolution 794 marked the first time that the UN had authorized peace soldiers to use of force for humanitarian ends. Resolution 814 made UNOSOM II the first peace mission fully under UN command authorized to use force to accomplish peace-building objectives, such as providing “assistance to help the people of Somalia to promote and advance political reconciliation, through broad participation by all sectors of Somali society,” and assisting with “the re-establishment of national and regional institutions and civil administration in the entire country.”¹⁰⁰

Despite large-scale institutionalization of broad POC objectives, the UN was only able to demonstrate these objectives with help from the US. During UNOSOM II, peace soldiers struggled to demonstrate POC objectives for several reasons. First, the DPKO was still very young. Though the frequency and scope of UN peace missions had increased immensely,¹⁰¹ the DPKO had “almost no permanent logistical and contingency planning infrastructure to support its multiplying commitments.”¹⁰² Understaffed, it was barely able to cope with the workload presented by the concurrent peace missions in Somalia, Cambodia and Bosnia. Thus, it lacked the operational capacity to organize an enforcement operation of such size, complexity and urgency in Somalia without military support from the US.

Second, lack of consent from some of Somalia’s warring parties made enforcing POC more difficult. In fact, the UN’s decision to persecute Aideed led to higher civilian casualties. Throughout the summer of 1993, during UNOSOM’s man-hunt for Aideed, civilians were

⁹⁹ Boutros Boutros-Ghali, *An Agenda for Peace, Preventive Diplomacy, Peacemaking and Peace-keeping*, paragraph 48.

¹⁰⁰ United Nations Security Council, S/RES/814, 23 March 1993.

¹⁰¹ The UN had already launched two large, expensive peace missions in 1992 to Cambodia and the former Yugoslavia, and it was preparing to launch another in Mozambique.

¹⁰² United Nations Secretary-General, S/24868.

directly targetted by Aideeds soldiers and “an untold number of Somali civilians were killed in raid after aid by US forces, under US command.”¹⁰³

Third, member states were not prepared to contribute to UNOSOM II. The UN has no troops of its own and little military equipment. It relies solely on the voluntary contributions of member states. Boutros-Ghali wrote to 42 member states in November 1993, “urging them to contribute additional troops to UNOSOM II, but not a single positive response had been received by the beginning of 1994.”¹⁰⁴ UNOSOM II never reached its authorized strength, and thus it struggled to demonstrate its POC objectives.

Unfortunately, UNOSOM was also a “prime exemplar of abuse of human rights.”¹⁰⁵ In July 1993, African Rights published a report based on evidence gathered during two five-week missions to Somalia. It reported that the UN troops violated the Geneva Conventions, including instances where UN troops attacked a hospital, fired upon unarmed demonstrators, and killed unarmed civilians.¹⁰⁶ At the time, it was nearly impossible for Somalis to obtain any recourse for these abuses because UNOSOM had no internal mechanism for addressing complaints and disputes.¹⁰⁷ It was only in August of 1993 that the UN agreed to set up the UNOSOM Office of Human Rights, staffed only by six people tasked with investigating and facilitating the prosecution of serious violations of international humanitarian law.¹⁰⁸ Investigations included “mass murders of Somali citizens, murder, attempted murder and threats of bodily harm against international assistance workers and UNOSOM employees,”¹⁰⁹ but not violations committed by UNOSOM employees.

Thus, both mechanisms of normative evolution were utilized during UNOSOM. However, while the UN’s ideational commitments to broader POC approaches were institutionalized, UNOSOM II, with less help from the US, was unable to wholly demonstrate these broader objectives.

¹⁰³ Linda Melvern, *The Ultimate Crime: Who Betrayed the UN and Why* (London: Allison & Busby, 1995), 325.

¹⁰⁴ Boutros-Ghali, *The United Nations and Somalia 1992-1996*, 62.

¹⁰⁵ Agostinho Zacarias, *The United Nations and International Peacekeeping* (London: Tauris Academic Studies, 1996), 162.

¹⁰⁶ African Rights, *Somalia: Human Rights Abuses by the United Nations Forces* (London: African Rights, July 1993), 1.

¹⁰⁷ African Rights, *Somalia: Human Rights Abuses by the United Nations Forces*, 16.

¹⁰⁸ United Nations Secretary-General, S/26317, 17 August 1993.

¹⁰⁹ Ibid.

2.6 Conclusion

To summarize, the articulation of new institutional goals regarding POC by the UN Secretariat and Security Council and the subsequent efforts of UNOSOM soldiers to implement these new POC goals on the ground are evidence of the evolution of the POC norm during UNOSOM. At the start of UNOSOM I, the UN left POC to humanitarian actors and used UNOSOM soldiers to monitor the cease-fire. The evolution of the POC norm began with Resolution 775, which mandated UNOSOM I to perform the additional tasks of protecting humanitarian staff and ensuring the safe delivery of humanitarian aid. Evolution continued with Resolution 794, which authorized UNITAF under Chapter VII of the UN Charter to use “all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia.”¹¹⁰ Finally, Resolution 814 assigned UNOSOM troops to use force to achieve POC objectives previously taken on by development actors.

The UN, specifically the Secretariat and the UNSC, along with the US and NGOs, each played a role in defining and promoting these broader POC objectives. However, the US proved to be the only actor capable of fulfilling these broader POC objectives. Without the support from the US in the UNSC or from the US military on the ground, the UN was forced to relieve UNOSOM of its POC tasks. As such, the US proved to be the most significant actor behind normative evolution during UNOSOM.

The UN was motivated by ideational influences to broaden its POC objectives. With the Cold War over, the UN believed that it could expand its role in promoting and maintaining international peace and security, fulfilling its promise as an organization designed to save humanity from the scourge of war. However, UNOSOM experienced operational difficulties implementing its POC objectives, and the UN subsequently experienced harsh criticism from the international community for its failure to implement its broader POC objectives. Subsequently, the UN was motivated by these praxis-challenges

¹¹⁰ United Nations Security Council, S/RES/794, 3 December 1992.

to strip UNOSOM of its enforcement powers, even though UNOSOM had experienced great success in enforcing certain POC objectives, such as the delivery of humanitarian aid.

Finally, the dominant mechanism behind normative evolution in the UN was institutionalization. The UN experienced large-scale institutionalization of its broadest POC objectives for peace missions, but it was only partially able to demonstrate those objectives due to its own limited operational capacity and the US veto.

Chapter 3

Rwanda: Normative Evolution during the UN Peace Mission in Rwanda (UNAMIR)

3.1 Introduction

From October 1993 to April 1996, the UN conducted a peace mission in Rwanda. The mission was composed of two parts: UNAMIR I (October 1993-May 1994) and UNAMIR II (May 1994-April 1996). The purpose of this chapter is to explore how the POC norm evolved during the course of UNAMIR (October 1993-April 1996) using the Constructivist framework outlined in Chapter 1. The objective is to determine the main actors, motives and mechanisms responsible for normative evolution. First, I provide background information that outlines the national and international context and explains the state of the POC norm at the start of UNAMIR. Then, I employ the following questions in order to achieve the stated objective:

Who were the main actors that defined and promoted normative evolution within the UN during UNAMIR? Who were the main actors that were capable of demonstrating normative evolution on the ground? Was normative evolution at the UN during UNAMIR motivated primarily by ideational influences or praxis-challenges? Finally, did normative evolution occur during UNAMIR through institutionalization or demonstration?

3.2 Background: The POC Norm Prior to UNAMIR

3.2.1 National Context

Intrastate war erupted in Rwanda on 1 October 1990, when the Rwandan Patriotic Front (RPF) invaded Rwanda from neighboring Uganda. The RPF was almost exclusively comprised of exiled Tutsis, Rwanda's minority ethnic group. The colonial powers (specifically Belgium) had favored the Tutsis over Rwanda's majority ethnic group, the Hutus. The Belgians gave the Tutsis privileged positions in the government and on the social strata. After decades of this exploitative system, ethnic identities in Rwanda became

fixed, whereas before ethnic identities were more fluid and social mobility was possible. By the time Rwanda gained its independence in 1962, nearly 120,000 Tutsis had already fled the central African nation, fearing violent reprisals by the Hutus.¹¹¹ By the late 1980s, “some 480,000 Rwandans—approximately 7 per cent of the total population, and roughly half of the Tutsi community—had become refugees,” but the Hutu leadership of Rwanda refused their right to repatriation.¹¹² War began in the midst of diplomatic efforts to secure repatriation and create a multi-party governance system in Rwanda.

After nearly three years of war, the President of Rwanda and the Chairman of the RPF signed the Arusha Peace Agreement. But the agreement crumbled in April 1994 when Hutu extremists from the Rwandan government initiated an organized, devastating genocide against the Tutsis and moderate Hutus. During this government-led campaign against civilians, an estimated 800,000 Tutsis and moderate Hutus would die over a period of 100 days.

3.2.2 International Context

From 14-25 June 1993, the UN held the world conference on human rights in Vienna, Austria. The resulting document, the Vienna Declaration and Program of Action, articulated the beliefs of the UN and 171 of its member states concerning human rights. With regard to the rights of civilians during conflict, the Vienna Declaration of Program and Action argued that the UN should assume “a more active role in the promotion and protection of human rights in ensuring full respect for international humanitarian law in all situations of armed conflict, in accordance with the purposes and principles of the Charter.”¹¹³ It called upon its member states to observe international humanitarian law as set forth by the Geneva Conventions of 1949 and to assist the UN in strengthening mechanisms to protect the rights of children¹¹⁴ and women¹¹⁵ during armed conflict.

¹¹¹ Boutros Boutros-Ghali, *The United Nations and Rwanda 1993-1996* (New York: United Nations Department of Public Information, 1996), 9.

¹¹² Boutros-Ghali, *The United Nations and Rwanda 1993-1996*, 11.

¹¹³ United Nations General Assembly, *Vienna Declaration of Program and Action*, A/CONF.157/23, 12 July 1993, paragraph 96.

¹¹⁴ United Nations General Assembly, *Vienna Declaration of Program and Action*, Paragraph 21.

¹¹⁵ United Nations General Assembly, *Vienna Declaration of Program and Action*, Paragraph 38.

The US was one of the 171 member states to sign the Vienna Declaration and Program of Action. By mid-1993, however, American enthusiasm regarding the use of force to protect civilians had actually begun to wane. The US (who was footing one-third of the UN's bills and owed half a billion dollars to the UN in dues and peacekeeping costs¹¹⁶) began to recalibrate its expectations from peace missions after UN peace soldiers experienced difficulties implementing POC objectives in Somalia. The US not only believed that it should limit its own involvement in UN peace missions, but also that the UN should scale back the number of peace missions it deployed each year. In his first speech as American President to the UN General Assembly on 28 September 1993, Bill Clinton argued, "The UN simply cannot become engaged in every one of the world's conflicts...If the American people are to say yes to UN peacekeeping, the UN must know when to say no."¹¹⁷ The US began to actively lobby other nations to lessen their support for UN peace missions, particularly the nations on the Security Council. The decisions of the Security Council after 1989 remained strongly influenced by the US, despite evidence that the Security Council was becoming a more democratic organ.¹¹⁸

Without military support from the US, the UN had to admit that its peace soldiers in the field would be able to accomplish few tasks beyond monitoring cease-fires. Moreover, after its failures in Somalia, the UN began to espouse a new mentality concerning the use of force during peace missions. Boutros-Ghali argued, "To use force is an expression of failure.

¹¹⁶ Samantha Power, *A Problem from Hell: America and the Age of Genocide* (New York: HarperCollins Publishers, 2002), 341.

¹¹⁷ Melvern, *The Ultimate Crime: Who Betrayed the UN and Why*, 326-327.

¹¹⁸ After the thawing of Cold War tensions, the Security Council met more frequently. For example, "from 1988 to 1993, the Council's total number of meetings and consultations grew nearly fourfold while its total resolutions and presidential statements increased more than sixfold" (Paul, "Working with Nongovernmental Organizations," 374). It also met concerning broader thematic issues of international peace and security. It became more cooperative, indicated by the sharp decline in the use of the veto by the P-5 and marked increase in Chapter VII authorizations after 1989. "Only 12 substantive vetoes were invoked from January 1990 to June 2003, compared to 193 during the first forty-five years of the UN's history" (David Malone, "Introduction," in *The UN Security Council: From the Cold War to the 21st Century*, ed. David Malone (Boulder, CO: Lynne Rienner Publishers, 2004), 7). And, beginning in May 1990, the Security Council avoided the use of the veto for three entire years (Thomas Weiss, David Forsythe and Roger Coate, *The United Nations and Changing World Politics* (Boulder, CO: Westview Press, 1994), 93. Thus, the Security Council became a forum for the creation of new UN policies and agendas (Peter Wallenstein and Patrik Johansson, "Security Council Decisions in Perspective," in *The UN Security Council: From the Cold War to the 21st Century*, ed. David Malone (Boulder, CO: Lynne Rienner Publishers, 2004), 30).

Our job is diplomacy, the peaceful resolution of disputes.”¹¹⁹ The importance of consent, impartiality and neutrality during peace missions was reaffirmed by the UN.

In summation, challenges in implementing broader POC objectives during UN peace missions in Somalia had a significant impact on the US’ and UN’s enthusiasm regarding the use of force to protect civilians during conflict. The return to the belief in non-use of force except in self-defense had a significant impact on the POC norm leading up to UNAMIR. The following sections explore which actors, motives and mechanisms were most responsible for normative evolution during UNAMIR.

3.3 Actors

This section explores which actors were most responsible for normative evolution during UNAMIR. Who were the main actors that defined and promoted normative evolution within the UN? Who were the main actors that were capable of demonstrating normative evolution on the ground?

On 4 August 1993, the government of Rwanda and the RPF signed the Arusha Peace Agreement, which called upon the UN to assist Rwanda with its transition. The Security Council authorized UNAMIR I on 5 October 1993 in accord with Chapter VI of the UN Charter.¹²⁰ UNAMIR’s main objective was to monitor the new peace between the Rwandan Government and the RPF as set forth by the Arusha Accords. UNAMIR’s Force Commander, Romeo Dallaire, argued that 4,500 troops would be a responsible minimum.¹²¹ The US hoped to send as few as 100 to 300 peacekeepers, though American intelligence analysts were aware that a large-scale ethnic conflict could emerge in Rwanda.¹²² Two days earlier, eighteen American soldiers had died while conducting an operation for UNOSOM II. As a result, the US became wary of crossing the ‘Mogadishu line,’ “the dangerous tipping point where peacekeeping became peace enforcement.”¹²³ The US, along with the United

¹¹⁹ Georgie Anne Geyer, “The World as Viewed from the UN Helm,” *Washington Times*, 3 April 1994.

¹²⁰ United Nations Security Council, S/RES/872, 5 October 1993.

¹²¹ Linda Melvern, *Conspiracy to Murder: The Rwandan Genocide* (London: Verso, 2004), 67.

¹²² Power, *A Problem from Hell: America and the Age of Genocide*, 338.

¹²³ Michael Barnett, *Eyewitness to a Genocide* (Ithaca, NY: Cornell University Press, 2002), 44.

Kingdom (UK), put pressure on the Security Council to cut costs and limit UNAMIR's responsibilities. A compromise of 2,548 soldiers was reached.¹²⁴ UNAMIR soldiers were authorized to assist with the coordination of humanitarian aid, but they were not authorized to use force beyond self-defense.

Thus, largely because of the US, UNAMIR I was understaffed from the outset. In addition, the mission was ill-equipped because member states had refused to pay the DPKO for basic equipment,¹²⁵ and the Force Commander was constantly at odds with the UN Secretariat. Dallaire drafted more aggressive rules of engagement (ROE) for UNAMIR I, which would allow the use of force to protect civilians under UN protection against attack and to prevent any crime against humanity.¹²⁶ The DPKO did not approve Dallaire's ROE, despite compelling evidence that they would be necessary.¹²⁷ Moreover, the DPKO rejected Dallaire's request to raid weapons caches in Kigali and failed to pass Dallaire's intelligence regarding an impending massacre on to the Security Council. Instead, the DPKO urged Dallaire to "avoid entering into a course of action that might lead to the use of force and to unanticipated repercussions."¹²⁸

On 5 April 1994, the Security Council renewed the mandate of UNAMIR I on the condition that progress be made over the next six weeks with regard to the transitional institutions provided for under the Arusha Peace Agreement.¹²⁹ The next day, the genocide began and the war reignited. In New York, the Security Council was divided over UNAMIR's future. During the first four weeks of the genocide, some non-permanent members of the Security Council were in favor of extending and expanding UNAMIR's mandate. The African Group met with the Council on 12 April and encouraged them to take military action to protect civilians in Rwanda. By this time, Dallaire had confirmed that the killings in Rwanda constituted crimes against humanity, at the very least, and he requested more troops in

¹²⁴ Ibid.

¹²⁵ Melvern, *Conspiracy to Murder: The Rwandan Genocide*, 74.

¹²⁶ Trevor Findlay, *The Use of Force in Peace Operations* (Oxford: Oxford University Press, 2002), 277-278.

¹²⁷ For example, on 11 January 1994, Dallaire sent information to UN Headquarters given to him by an informant, who was formerly a member of the Rwandan President's guard and had become a senior trainer for the Hutu extremists. The informant admitted that he had been training Hutu extremists for what could only be genocide, considering he had also been ordered to register all Tutsis within Kigali, Rwanda's capital. He warned that the Hutu extremists were capable of killing 1,000 Tutsis in only twenty minutes (Barnett, *Eyewitness to a Genocide*, 78).

¹²⁸ Boutros-Ghali, *The United Nations and Rwanda 1993-1996*, 32.

¹²⁹ United Nations Security Council, S/RES/909, 5 April 1994.

order to protect civilians. A few strongholds guarded by UNAMIR I had indeed formed throughout Rwanda, and thousands of civilians had made their way to these strongholds.¹³⁰ But some of the permanent members of the Security Council adamantly opposed strengthening UNAMIR in order to protect Rwandan civilians, preferring instead to leave all POC measures to humanitarian workers. Humanitarian agencies such as the ICRC and MSF were anticipating civilian casualties on a large scale and had already begun to stockpile medicines and water in Kigali.¹³¹

On 7 April 1994, the incumbent Rwandan Prime Minister was brutally murdered along with the ten Belgian peacekeepers protecting her. By April 12, Belgium informed the UN that it would be withdrawing its troops from Rwanda in light of the event. Belgium did not want to withdraw on its own, and so it convinced France, the UK and the US that withdrawal was UNAMIR's best option.¹³² The US then lobbied other nations to reject the reinforcement of UNAMIR.¹³³ The Security Council voted unanimously to scale UNAMIR I back to a paltry 270 troops, whose principal mission was the "act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire."¹³⁴ Without support from the Secretariat or the permanent five (P-5), the weaker members of the UNSC in favor of intervention were forced to concede that leaving a small contingency was better than total withdrawal.

One week later, Boutros-Ghali wrote to the President of the Security Council and expressed his regret at the Council's decision and asked them to authorize the establishment of UNAMIR II. UNAMIR II would have a troop strength of 5,500, and it would be authorized "to contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance,

¹³⁰ For example, on 16 April UNAMIR sent a cable informing Headquarters that UNAMIR guarded the lives of 5,000 civilians in Amahoro stadium, the majority being orphaned children under the age of fifteen. Dallaire asked for 5,500 soldiers to help protect these strongholds. The Czech Republic, New Zealand and Nigeria were in favor (Linda Melvern, *A People Betrayed: The Role of the West in Rwanda's Genocide*, (London: Zed Books, 2000), 162).

¹³¹ Melvern, *Conspiracy to Murder: The Rwandan Genocide*, 101-102.

¹³² Melvern, *A People Betrayed: The Role of the West in Rwanda's Genocide*, 215.

¹³³ Boutros-Ghali, *Unvanquished: A US-UN Saga*, 135

¹³⁴ United Nations Security Council, S/RES/912, 21 April 1994.

where feasible, of secure humanitarian areas” and “to provide security and support for the distribution of relief supplies and humanitarian relief operations.”¹³⁵

By this time, it was becoming difficult for the UN to deny the reports of genocide coming from NGOs.¹³⁶ However, the US refused to allow the UN to use the word genocide to describe the killings in Rwanda. While its veto alone would have been enough to prevent more robust intervention, the US also succeeded in persuading other nation-states to veto stronger intervention in Rwanda as well. Employing the term genocide would have obliged the US to act under the terms of the 1948 Geneva Convention, and the US did not support the use of force to protect civilians in Rwanda. Some non-permanent members of the Security Council were in favor of using the word, but the US veto blocked them from using it in any official UN statement. It was only six weeks after the genocide began that the US could no longer avoid using the term and allowed the creation of UNAMIR II under Chapter VI of the UN Charter.¹³⁷ It was recognized “that UNAMIR may be required to take action in self-defence against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief,” but UNAMIR II troops were not granted Chapter VII authorization to protect the safe areas.¹³⁸

The launch of UNAMIR II was delayed because the UN’s strongest member states were hesitant to provide troops. The member states that did pledge troops were not in possession of the proper military equipment, and soliciting from better-equipped member states proved time-consuming. France offered to send a force of 2,500 that would set up a safe zone in South-West Rwanda on the border with Zaire (today the Democratic Republic of Congo) while UNAMIR II waited on troops and equipment. The Security Council approved French-led Operation Turquoise under Chapter VII of the UN Charter, authorizing

¹³⁵ United Nations Security Council, S/RES/918, 17 May 1994.

¹³⁶ Human Rights Watch (HRW) had estimated that at least 100,000 Rwandans were dead, and it implored the Security Council to begin using the term genocide. The ICRC estimated that as many as 300,000 were dead, while Oxfam warned that these estimates were too low and as many as 500,000 Rwandans were missing (Power, *A Problem from Hell: America and the Age of Genocide*, 357).

¹³⁷ United Nations Security Council, S/RES/918, 17 May 1994.

¹³⁸ Ibid.

the forces to use all necessary means to protect refugees at risk and provide security for humanitarian operations.¹³⁹

By November, the UN and the governments of its member states had all officially recognized that the killings in Rwanda constituted genocide, but by this time the genocide was over. On 8 November 1994, the Security Council authorized the creation of the International Criminal Tribunal for Rwanda (ICTR) to prosecute those responsible for genocide and other crimes against IHL.¹⁴⁰ A year and a half earlier, the Security Council had authorized a similar tribunal for former Yugoslavia (ICTY). The UN's shame over its failures in Bosnia and Rwanda "was channeled into a determination to ensure accountability for the perpetrators of atrocities."¹⁴¹ In June 1995, the Security Council voted to adjust the mandate of UNAMIR II to assist the Rwandans in rebuilding their war-torn nation.¹⁴² Tasks included helping Rwandans achieve many peace-building objectives: national reconciliation, repatriate and reintegrate refugees, rebuild trust in the military and police, support the provision of humanitarian aid and provide security for humanitarian agencies operating in the country and for the ICTR.¹⁴³ Thus, it was only well after the genocide had ended that the UN introduced broader elements of POC to UNAMIR. UNAMIR II continued operations in Rwanda until April 1996.

In summation, throughout the majority of UNAMIR, normative evolution was stalled because the UN refused to authorize the use of force for anything beyond self-defense, including the protection of civilians in safe areas and the protection of humanitarian supplies or personnel. The UN Secretariat, specifically the Secretary-General and the DPKO (with the exception of Dallaire), downplayed the need for militarized POC measures in Rwanda. The P-5, most specifically the US, vetoed any suggestion that UNAMIR be authorized to use force to protect civilians, even after the genocide began and the accounts of Dallaire, the RPF and NGOs were confirmed. The only actor willing to use force to demonstrate POC objectives was France.

¹³⁹ United Nations Security Council, S/RES/929, 22 June 1994.

¹⁴⁰ United Nations Security Council, S/RES/955, 8 November 1994.

¹⁴¹ Rosa Brooks, "The UN Security Council and Civilian Protection," in *The UN Security Council in the Age of Human Rights*, eds. Jared Genser and Bruno Ugarte (New York: Cambridge University Press, 2013), 12.

¹⁴² United Nations Security Council, S/RES/997, 9 June 1995.

¹⁴³ Ibid.

3.4 Motives

This section explores which motives best explain normative evolution during UNAMIR. Was normative evolution at the UN during UNAMIR motivated primarily by ideational influences or praxis-challenges?

The UN and its member states were presented with multiple opportunities to act upon its ideational commitments articulated in *An Agenda for Peace* and the Vienna Declaration prior to and throughout UNAMIR I. Even before the creation of UNAMIR I, a UN Special Rapporteur visited Rwanda from 8-17 April 1993 and confirmed that thousands of Rwandan civilians had been the victims of unjust executions and massacres.¹⁴⁴ The Special Rapporteur reported that the massacres in Rwanda partially fit the description of genocide put forward by the Convention on the Prevention and Punishment of the Crime of Genocide,¹⁴⁵ and he recommended that the UN immediately set up a “mechanism for the protection of civilian populations against massacres.”¹⁴⁶ However, the UN ignored intelligence reports foretelling ethnic violence, and it also disregarded the RPF’s appeals for a Western response after the genocide began.¹⁴⁷

Instead of being motivated by ideological influences to intervene during the genocide, the UN was motivated by praxis-challenges to curb its involvement. First, the UN’s enthusiasm for large, multidimensional peace missions was waning because its resources for peacekeeping were becoming exhausted. From 1989 to 1992, the Security Council had authorized thirteen new peace missions. During that same time, the peacekeeping budget rose eightfold, with nearly 73,000 peacekeepers in the field.¹⁴⁸ And, despite the creation of the DPKO, the UN was struggling to cope with the workload because

¹⁴⁴ United Nations Special Rapporteur, E/CN.4/1994/7/Add.1, 11 August 1993, paragraph 28.

¹⁴⁵ United Nations Special Rapporteur, E/CN.4/1994/7/Add.1, 11 August 1993, paragraph 78-79.

¹⁴⁶ United Nations Special Rapporteur, E/CN.4/1994/7/Add.1, 11 August 1993, paragraph 64.

¹⁴⁷ The RPF Representative, Claude Dusaidi, wrote to the Secretary-General and Security Council on 23 April 1994. He argued, “When the institution of the UN was created after the Second World War, one of its fundamental objectives was to see to it that what happened to the Jews in Nazi Germany would never happen again (Melvern, *A People Betrayed*, 177).

¹⁴⁸ Barnett, *Eyewitness to Genocide*, 29.

“the number of staff committed to peacekeeping operations had not changed since 1987.”¹⁴⁹

Second, problems using military actors to achieve POC objectives in Somalia curbed the UN’s enthusiasm for protecting civilians during conflict, especially because these problems attracted criticism to the organization. Boutros-Ghali worried about maintaining the UN’s credibility, and so the thinking at time “was that the UN should put its good name on the line only when it had a reasonable chance of success.”¹⁵⁰ The Security Council initially authorized UNAMIR because it believed that monitoring the peace agreement in Rwanda would be straightforward. The Security Council, along with the DPKO, felt that Rwanda presented a much-needed opportunity for the UN to bolster its own credibility with a peacekeeping ‘victory.’¹⁵¹ Thus, even after the genocide began, the UN Secretariat refused to support efforts to authorize UNAMIR to protect civilians on the basis that addressing anything in Rwanda beyond a cease-fire would be too difficult, and subsequent failures would occur to the detriment of the organization.

Third, the UN was unable to take on multidimensional peace missions because the US refused to authorize their creation. For the US, the deaths of the Belgian peace soldiers in Rwanda proved that UNAMIR would suffer the same difficulties as UNOSOM.¹⁵² Moreover, by early 1994, the US was well under way with the production of Presidential Directive Decision 25 (PDD-25), which would eventually comprise of sixteen factors that the US had to consider when deciding whether or not to support a peace mission. Among them were provisions to prohibit US involvement in missions that did not advance US interests. Although the US did not publicly release PDD-25 until 3 May 1994, “the considerations encapsulated in the doctrine and the administration’s frustration with peacekeeping greatly influenced the thinking of US officials involved in shaping Rwanda policy.”¹⁵³ The US also encouraged other member states on the Security Council to refuse authorization for POC measures. The US, and specifically the Pentagon, feared that a small enforcement operation with humanitarian intentions would end with Americans funding

¹⁴⁹ Melvern, *Conspiracy to Murder: The Rwandan Genocide*, 88.

¹⁵⁰ Barnett, *Eyewitness to Genocide*, 47.

¹⁵¹ Melvern, *Conspiracy to Murder: The Rwandan Genocide*, 88.

¹⁵² Power, *A Problem from Hell: America and the Age of Genocide*, 332.

¹⁵³ Power, *A Problem from Hell: America and the Age of Genocide*, 342.

and fighting a large, costly peace mission.¹⁵⁴ This was another lesson of Somalia, where US soldiers died in Mogadishu attempting to save the beleaguered Pakistanis.¹⁵⁵

By mid-May 1994, however, it was clear that the UN's failure to react swiftly and severely to the Rwandan genocide would prove a scandalous embarrassment to the organization. But because of the UN's failures in Somalia, the Security Council was still in "no mood to pledge enforcement action in another part of the world, especially where the most power members of the [C]ouncil did not have strategic interests."¹⁵⁶ Instead, it authorized Operation Turquoise under Chapter VII because it would bear no blame for France's failures, and it eventually included POC measures and peace-building objectives in UNAMIR II's mandate in order to belatedly uphold its ideational commitments as a self-proclaimed protector of human rights in the post-Cold War era.

Thus, while shaping UNAMIR's POC agenda, the UN was motivated by praxis-challenges to stall the evolution of the POC norm, including motives of protection of reputation and survival.

3.5 Mechanisms

This section explores the mechanisms behind normative evolution during UNAMIR. Did normative evolution occur during UNAMIR primarily through institutionalization or demonstration?

There was no normative evolution during UNAMIR. The UN gradually introduced POC measures to the mandate of UNAMIR, but each of these POC measures had been institutionalized in the mandate of a previous peace mission. For example, at first, UNAMIR was also authorized to assist with the coordination of humanitarian aid in conjunction with relief operations. In May 1994, Resolution 918 authorized UNAMIR troops to establish and maintain safe areas for the protection of refugees and civilians at risk, as well as to provide security for relief operations. In mid-1995, the UN introduced peace-building elements to

¹⁵⁴ Power, *A Problem from Hell: America and the Age of Genocide*, 366.

¹⁵⁵ Ibid.

¹⁵⁶ Barnett, *Eyewitness to Genocide*, 102.

the UNAMIR operation, and it authorized UNAMIR to provide security for the ICTR.¹⁵⁷ None of these measures constituted normative evolution because the UN had authorized UNOSOM and UNPROFOR troops to do these tasks at an earlier date.

It was nearly impossible for UNAMIR troops to demonstrate POC because the Security Council consistently refused to authorize UNAMIR troops to use force beyond self-defense. Because the Security Council prioritized UNAMIR's neutrality over its ability to protect civilians, the UNAMIR troops were also denied more aggressive ROE. The DPKO insisted that "rather than intervene to protect the population, all that the troops could do was to patrol and be visible."¹⁵⁸ In addition, UNAMIR did not have the troop strength to demonstrate POC, rendering mandated POC objectives moot. For example, while Resolution 912 granted UNAMIR authorization to protect civilians in their custody while the genocide was still on-going, it also reduced the size of UNAMIR to 270 troops. Predictably, "as soon as the bulk of the UNAMIR troops left Kigali, many of the civilians protected by them were immediately killed."¹⁵⁹

UNAMIR demonstrated POC limitedly during Operation Turquoise and the ICTR, both under Chapter VII of the UN Charter. However, both creations had flaws that ultimately proved detrimental to POC. By the time Operation Turquoise became operational, the genocide was largely over, though between fifteen and twenty-five thousand Tutsis found sanctuary in the French safe zone.¹⁶⁰ However, with the RPF closing in on victory, thousands of Hutus were also fleeing Rwanda for this safe zone. The French departed in August 1994, amidst allegations of harboring war criminals and withholding information regarding the *genocidaires* from the UN.¹⁶¹ Dallaire believed that the French, who had declared that their operation was a humanitarian one, had used humanitarian rhetoric to mask political motivations; the French wanted to ensure that their allies in the Rwandan government escaped death at the hands of the RPF.¹⁶² Dallaire also argued that Operation Turquoise seriously undermined UNAMIR's own rescue units because Dallaire

¹⁵⁷ United Nations Security Council, S/RES/997, 9 June 1995.

¹⁵⁸ Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999), 176.

¹⁵⁹ Wheeler, *Saving Strangers*, 3.

¹⁶⁰ Barnett, *Eyewitness to Genocide*, 149.

¹⁶¹ Ibid.

¹⁶² Melvern, *Conspiracy to Murder: The Rwandan Genocide*, 243.

was obligated to send home his French-speaking African officers for fear of RPF reprisals, many of whom were team leaders on dozens of rescue missions.¹⁶³ While the ICTR focused on locating and punishing the perpetrators of the genocide, it did not shed light on the UN's own culpability.

After the Rwandan genocide, the UN avoided further institutionalization of POC. In January 1995, Boutros-Ghali's wrote the supplement to the *Agenda for Peace*, which reflected upon challenges to UN peace missions unforeseen at the start of the decade. Boutros-Ghali noted that the post-Cold War era of peace missions proved that respect for consent, impartiality and the non-use of force except in self-defense were critical components to successful peace missions.¹⁶⁴ These principles were violated in order to protect humanitarian operations, civilians and safe areas in Somalia and former Yugoslavia. Boutros-Ghali cautioned that the consequences of using force during peace missions for purposes beyond self-defense must be of greater concern.¹⁶⁵ In October 1995, the DPKO released its *General Guidelines for Peacekeeping*, which made only one uncritical reference to POC and did not reference genocide, massacres or crimes against humanity.¹⁶⁶ In 1996, the DPKO produced the report *Multidisciplinary Peacekeeping: Lessons from Recent Experience*, which also failed to mention genocide or crimes against humanity.¹⁶⁷ Finally, that same year, the Department's Peacekeeping Training Manual, nearly 300 pages long, did not refer to POC either.¹⁶⁸

Thus, there was little institutionalization or demonstration of the existing POC agenda during UNAMIR, let alone of normative evolution. After UNAMIR, the UN made conscious efforts to avoid further institutionalization of POC measures for its peace missions.

¹⁶³ Ibid.

¹⁶⁴ Boutros Boutros-Ghali, *Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations*, A/50/60-S/1995/1, 3 January 1995, paragraph 33.

¹⁶⁵ Boutros-Ghali, *Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations*, paragraph 79.

¹⁶⁶ Sioban Wills, *Protecting Civilians: The Obligations of Peacekeepers*, 38.

¹⁶⁷ Sioban Wills, *Protecting Civilians: The Obligations of Peacekeepers*, 39.

¹⁶⁸ Sioban Wills, *Protecting Civilians: The Obligations of Peacekeepers*, 40.

3.6 Conclusion

In summation, throughout UNAMIR, normative evolution was stalled because the UN refused to authorize the use of force for anything beyond self-defense, including the protection of civilians in safe areas and the protection of humanitarian supplies or personnel. POC objectives were gradually introduced to UNAMIR's mandate, but these objectives had been institutionalized and demonstrated during previous UN peace missions.

The main actors responsible for stalling the evolution of the POC norm were the UN Secretariat, specifically the Secretary-General and the DPKO (with the exception of Dallaire), and the P-5. The UN Secretariat downplayed the humanitarian situation in Rwanda as it was looming. And by denying Dallaire's requests for stronger ROE and refusing to pass on Dallaire's intelligence reports to the Security Council, the Secretariat made sure that UNAMIR did not adopt any objectives beyond its original military mandate. But even after the genocide commenced, the Security Council refused to authorize the use of force to protect civilians, safe areas or relief operations, leaving hundreds of thousands of innocent civilians unprotected in the midst of genocide.

These actors were motivated by praxis-challenges to stall the evolution of the POC norm. For member states, particularly the US, memories of the UN's failures in enforce POC in Somalia made contributing troops or authorizing the use of force for another peace mission seem disagreeable, especially a peace mission in Africa. For the UN, fear that another peacekeeping failure would cripple the organization's capacity to tackle issues of peace and security in the future made expanding UNAMIR's mandate beyond monitoring a cease-fire seem unreasonable.

Finally, there was little institutionalization or demonstration of the existing POC agenda during UNAMIR, let alone of normative evolution. The only actor willing to use force to demonstrate POC objectives was France, though one could argue that France ultimately undermined the culture of POC by harboring war criminals and protecting *genocidaires*.

Chapter 4

Sierra Leone: Normative Evolution during the UN Peace Mission in Sierra Leone (UNAMSIL)

4.1 Introduction

From October 1999 to December 2005, the UN conducted a peace mission in Sierra Leone. The purpose of this chapter is to explore how the POC norm evolved during the course of UNAMSIL (October 1999-December 2005) using the Constructivist framework outlined in Chapter 1. The objective is to determine the main actors, motives and mechanisms responsible for normative evolution. First, I provide background information that outlines the national and international context and explains the state of the POC norm at the start of UNAMSIL. Then, I employ the following questions in order to achieve the stated objective:

Who were the main actors that defined and promoted normative evolution within the UN during UNAMSIL? Who were the main actors that were capable of demonstrating normative evolution on the ground? Was normative evolution at the UN during UNAMSIL motivated primarily by ideational influences or praxis-challenges? Finally, did normative evolution occur during UNAMSIL through institutionalization or demonstration?

4.2 Background: The POC Norm Prior to UNAMSIL

4.2.1 National Context

On 23 March 1991, intrastate war began in Sierra Leone when the Revolutionary United Front (RUF) attempted to overthrow the government of Joseph Momoh. Formerly a British Protectorate, Sierra Leone had suffered three decades of economic and state

disintegration prior to the start of the civil war.¹⁶⁹ Life expectancy had dropped to 38 years, adult literacy was a meager 32% and the gross domestic product (GDP) per capita was only US \$448.¹⁷⁰ The RUF was readily able to recruit Sierra Leonean youths, a generation of uneducated, unemployed people, disillusioned by the national government. The RUF was also easily able to acquire arms from Charles Taylor, the leader of neighboring Liberia's rebel group the National Patriotic Front of Liberia (NPFL).

The RUF's eleven year rebellion against the Sierra Leonean government became notorious for atrocities committed against civilians. During the war, nearly half of Sierra Leone's five million citizens would be displaced, 70,000 would perish, an estimated 27,000 children would be enlisted as soldiers and another 20,000 civilians would be left maimed as the result of violent amputation.¹⁷¹ The rebel groups were responsible for the majority of attacks on civilians, though government forces were also guilty of committing atrocities against civilians throughout the war.

4.2.2 International Context

The international community's guilt over its failure to save 800,000 Rwandans from genocide deepened in July 1995 when Bosnian Serb troops took control of a safe area in the Bosnian town of Srebrenica. The troops removed more than seven thousand men from the safe area and executed them. The massacre was shocking not only because of the magnitude of crimes committed, but also because soldiers from UNPROFOR and the North Atlantic Treaty Organization (NATO) present in the safe area did nothing to stop it.¹⁷²

In 1998, the international community was given a chance to redeem itself in former Yugoslavia, when the Kosovo Liberation Army's efforts to secede from Serbia became violent and the Yugoslav authorities responded with excessive force, killing civilians. The Security Council responded swiftly with Resolution 1160, which condemned "the use of excessive force by Serbian police forces against civilians and peaceful demonstrators" and

¹⁶⁹ John Hirsch, "War in Sierra Leone," *Survival* 43, 3 (2001), 146.

¹⁷⁰ Mark Malan, Phenyio Rakate and Angela McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight* (Pretoria: Institute for Security Studies, 2002), 9.

¹⁷¹ Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight*, 13.

¹⁷² United Nations Secretary-General, *Report of the Secretary-General pursuant to General Assembly Resolution 53/55: The Fall of Srebrenica*, A/54/549, 15 November 1999, 468.

placed an arms embargo on Yugoslavia.¹⁷³ When Serbian security forces and the Yugoslav Army continued to use excessive and indiscriminate force against civilians, resulting in casualties and massive displacement, the Security Council passed Resolution 1190, which declared its intent to “consider further action and additional measures to maintain or restore peace and stability in the region” should the human rights situation not improve.¹⁷⁴ The speed and decisiveness of the Security Council was meant to send a clear message: this time, the UN would not allow mass atrocities to be committed against civilians.¹⁷⁵

It soon became clear, however, that neither Russia nor China would authorize the Security Council to use force to protect civilians in Kosovo. Instead, NATO took the lead and initiated an aggressive bombing campaign against Serbian targets. After only three months of bombing, Yugoslav President Slobodan Milosevic capitulated and signed a peace agreement, ending the conflict. Although an estimated 10,000 Kosovars died prior to Milosevic’s capitulation, some by NATO air strikes, it is generally agreed that the death toll would have been higher had NATO not intervened.¹⁷⁶ NATO’s action indicated that the tide was changing in favor of using military force to achieve POC objectives once again.¹⁷⁷

4.3 Actors

This section explores which actors were most responsible for normative evolution during UNAMSIL. Who were the main actors that defined and promoted normative evolution within the UN? Who were the main actors that were capable of demonstrating normative evolution on the ground?

In 1997, peacekeepers under the auspices of the Economic Community of West African States (ECOWAS) intervened on behalf of the Sierra Leonean government, six years after the start of the war. By this time, the plight of civilians in Sierra Leone had become

¹⁷³ United Nations Security Council, S/RES/1160, 31 March 1998.

¹⁷⁴ United Nations Security Council, S/RES/1190, 23 September 1998.

¹⁷⁵ Brooks, “The UN Security Council and Civilian Protection,” 14.

¹⁷⁶ Brooks, “The UN Security Council and Civilian Protection,” 15.

¹⁷⁷ NATO’s action in Kosovo was also significant because its aerial campaign succeeded without sacrificing the life of a single NATO soldier, making bombing a more attractive POC strategy than a ground invasion, even though bombing results in civilian casualties.

difficult to ignore. The new UN Secretary-General, Kofi Annan, responded to the situation by adding a human rights adviser to his Special Envoy in Sierra Leone, and he dispatched his Special Representative for Children in Armed Conflict to assess the plight of Sierra Leonean children affected by the war and to negotiate the provisions to halt child recruitment into armed forces. He visited Sierra Leone in June 1998 and reported to the Security Council that his “main focus of human rights concerns...has been the attacks on civilians by armed, uniformed groups.”¹⁷⁸ These attacks included systematic mutilation, dismemberment and rape.¹⁷⁹ In light of this situation, Annan encouraged the Security Council to authorize the United Nations Observer Mission in Sierra Leone (UNOMSIL), mainly to monitor disarmament processes but also to discourage violence against civilians.¹⁸⁰ Resolution 1181 expressed the UN’s concern for “the loss of life and immense suffering undergone by the people of Sierra Leone...as a result of the continuing rebel attacks, and in particular at the plight of children affected by the conflict” and condemned “the violence...against the civilian population of Sierra Leone.”¹⁸¹

By late 1998, political volatility in Nigeria led an interim military government there to announce that Nigeria’s future in the Economic Community of West African States Monitoring Group (ECOMOG) was uncertain. The RUF took advantage of the situation to unleash an unprecedented wave of human rights violations against civilians in Sierra Leone.¹⁸² In January 1999, it conducted Operation No Living Thing, during which it overwhelmed ECOMOG forces in Freetown, killing thousands of civilians while raping and dismembering tens of thousands more.¹⁸³ Worn down by the coup and the siege of Freetown, the Sierra Leonean government was forced to negotiate and make serious concessions to the RUF in the Lomé Peace Agreement of July 1999. Both signatories requested that the UN, in conjunction with ECOMOG, deploy a peacekeeping force to Sierra Leone.

¹⁷⁸ United Nations Secretary-General, S/1998/486, 9 June 1998, 7.

¹⁷⁹ Ibid.

¹⁸⁰ United Nations Secretary-General, S/1998/486, 12.

¹⁸¹ United Nations Security Council, S/RES/1181, 13 July 1998.

¹⁸² Funmi Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL* (Boulder, CO: Lynne Rienner Publishers, 2008), 49.

¹⁸³ Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight*, 18.

The Security Council voted to authorize UNAMSIL in October 1999.¹⁸⁴ UNAMSIL's main tasks would be to implement the peace accord and assist with the disarmament, demobilization and reintegration plan in conjunction with ECOMOG forces under Chapter VI of the UN Charter. Due to the frequency and heinous nature of the atrocities being committed against civilians in Sierra Leone, the Security Council mandated UNAMSIL to "take the necessary action...to afford protection to civilians under imminent threat of physical violence" under Chapter VII of the UN Charter.¹⁸⁵ UNAMSIL became the first UN force to have POC explicitly included in its mandate, the most significant contribution to the POC norm's evolution since its conception.

In Sierra Leone, UNAMSIL and ECOMOG forces were to work together to monitor the cease-fire, implement the peace agreement, demobilize roughly 45,000 combatants and prepare Sierra Leone for national elections. Since ECOMOG forces already numbered 13,000, the Security Council only authorized UNAMSIL to have 6,000 troops. However, UNAMSIL quickly ran into problems when Nigeria announced in December 1999 that it would be withdrawing its troops from ECOMOG. The withdrawal of Nigerian soldiers led to the withdrawal of ECOMOG in its entirety. The UN felt confident that it could manage the situation in Sierra Leone without ECOMOG, but numerous factors worked to the detriment of UNAMSIL between October 1999 and May 2000. The DPKO struggled to secure equipment from member states. Rebel troops almost immediately began violating the cease-fire agreement, launching ambushes against both civilians and UN personnel. The deployment of additional troops was painfully slow. The rebels took advantage of the poor coordination between UNAMSIL and ECOMOG regarding ECOMOG's withdrawal, and they were able to isolate and disarm Indian, Kenyan and Zambian factions of UNAMSIL. In May 2000, "at the moment of final handover from ECOMOG when UN forces were at their weakest," the RUF seized 500 UNAMSIL peace soldiers and held them as hostages.¹⁸⁶

Many observers expected the UN to react to the hostage crisis with a Somalia-type retreat from Sierra Leone.¹⁸⁷ Instead, the Secretary-General called member states to create

¹⁸⁴ United Nations Security Council, S/RES/1270, 22 October 1999.

¹⁸⁵ Ibid.

¹⁸⁶ John Hirsch, "Sierra Leone," in *The UN Security Council: From the Cold War to the 21st Century*, ed. David Malone (Boulder, CO: Lynne Rienner Publishers, 2004), 527.

¹⁸⁷ Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 91.

a 'rapid-reaction' force for immediate deployment.¹⁸⁸ He looked specifically to the UK and the US, but neither would deploy a force under UN command. On 7 May 2000, the UK announced that it would send British soldiers to Sierra Leone, but these soldiers would remain under UK command. Initially, the main purpose of the force was to evacuate British nationals, but soon the mission expanded to include the defense of Freetown, and eventually the UK ended up running UNAMSIL's operational activities.¹⁸⁹ In addition to taking the lead on the ground, the UK also took the reins in the Security Council, drafting the mandates that would eventually bring UNAMSIL's troop strength to 17,500 troops.¹⁹⁰

Under British control, POC remained a main component of UNAMSIL. In 2001, UNAMSIL's military concept of operations (CONOPS) included "affording and facilitating a degree of protection, freedom of movement and the delivery of humanitarian assistance to civilians."¹⁹¹ UNAMSIL's CONOPS for 2002 contained the same objective.¹⁹² Initially, differences of opinion regarding UNAMSIL's use of force arose between the UK and the UN, with the UK believing that UNAMSIL should launch counter-offensives against the RUF with maximum force.¹⁹³ In August 2000, the UK succeeded in persuading the Security Council to adopt Resolution 1313, which authorized UNAMSIL troops to use force to pro-actively counter RUF threats and to restore law and order to Sierra Leone.¹⁹⁴ UNAMSIL effectively became a peace enforcement mission.

Initially, the newly empowered UNAMSIL struggled, especially after India and Jordan decided to withdraw their contingents (4,800 troops) to protest the lack of Western troops contributions to UNAMSIL and the UNAMSIL Force Commander resigned after alleging that the Nigerian troops were colluding with the RUF.¹⁹⁵ By March 2001, however, UNAMSIL had regrouped and it was able to venture into RUF-held territory, where the "civilian population continued to suffer from what the Secretary General euphemistically

¹⁸⁸ Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight*, 23.

¹⁸⁹ Ibid.

¹⁹⁰ Hirsch, "Sierra Leone," 529.

¹⁹¹ Briefing to Institute for Security Studies by Lieutenant Colonel Richard Hackett, Chief of Operations, UNAMSIL Headquarters, 22 October 2001, in Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight*, 37.

¹⁹² Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight*, 41.

¹⁹³ Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 66.

¹⁹⁴ United Nations Security Council, S/RES/1313, 4 August 2000.

¹⁹⁵ Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight*, 25.

called the 'harmful effects' of the RUF's hold over the area: summary executions, rape and other forms of sexual violence, amputations and mutilations."¹⁹⁶ By January 2002, UNAMSIL succeeded in disarming the rebels and Sierra Leone's war came to an end.

After disarming and demobilizing the rebels, UNAMSIL changed its focus from enforcement activities to post-conflict peace-building activities. UNAMSIL remained in Sierra Leone until 31 December 2005 in order to help organize and monitor democratic elections, and it was succeeded by the United Nations Integrated Office for Sierra Leone post-conflict peace-building mission.

The explicit inclusion of POC in UNAMSIL's mandate was the result of the efforts of many different actors, but it was Annan who introduced the concept of POC to the UN in his report *The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa*¹⁹⁷ and argued that it was "fundamental to the central mandate of the Organization."¹⁹⁸ Annan began working for the UN in 1962, and he rose steadily through the ranks of the UN to become Secretary-General. He had worked for the DPKO during the Rwandan genocide and Srebrenica massacre; the moral rhetoric of the institution was deeply ingrained in him and the reality of the UN's failures in the 1990s did not sway his belief in the organization's utility and purpose.¹⁹⁹ Like Boutros-Ghali, he believed that the concept of international security as put forth during the Cold War had changed. He argued that international security now demanded that the protection of individuals be given priority over the protection of state sovereignty.²⁰⁰ As such, addressing the issue of mass atrocities against civilians became one of the issues central to Annan's tenure as Secretary-General.²⁰¹ After the UN released its internal reports on Rwanda and Srebrenica, Annan pledged, "Of all my aims as Secretary-General, there is none to which I feel more deeply

¹⁹⁶ Nicolas Lamp and Dana Trif, "United Nations Peacekeeping Forces and the Protection of Civilians in Armed Conflict," Hertie School of Governance, Working Paper No. 47, November 2009, 12.

¹⁹⁷ United Nations Secretary-General, *The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa*, A/52/871-S/1998/318, 13 April 1998.

¹⁹⁸ United Nations Secretary-General, S/1999/957, 8 September 1999, paragraph 27.

¹⁹⁹ Michael Ignatieff, "The Confessions of Kofi Annan," *The New York Review of Books*, 6 December 2012.

²⁰⁰ Ibid.

²⁰¹ James Traub, *The Best Intentions: Kofi Annan and the UN in the Era of American World Power* (London: Bloomsbury Publishing, 2006), 92.

committed than that of enabling the United Nations never again to fail in protecting a civilian population from genocide or mass slaughter.”²⁰²

Annan was more successful at promoting normative change than his predecessor because, among other things, he had a better relationship with the US. The US vetoed Boutros-Ghali’s second term as Secretary-General. Boutros-Ghali envisioned a larger role for UN peace soldiers after the end of the Cold War. As the internationalism that the US had embraced at the start of the decade gave way to isolationism, many conservatives in Congress demanded that the UN reform. Boutros-Ghali vehemently opposed reform, and he “rarely passed up an opportunity to needle the United States for failing to pay its dues, failing to provide troops, failing to stay the course.”²⁰³ The title of Boutros-Ghali’s memoir, *Unvanquished*, reveals precisely the type of uncompromising relationship the Secretary-General had with the US.²⁰⁴ Annan set out to change “the perception of the UN among America’s ruling elite” immediately after becoming Secretary-General.²⁰⁵ And, in contrast to his predecessor, Annan was shrewd enough to use NGOs, global civil society organizations and especially the media to promote his objectives.²⁰⁶

Other actors responsible for the explicit inclusion of POC in UNAMSIL’s mandate include NGOs and the UN’s Office for the Coordination of Humanitarian Affairs (OCHA), which is part of the UN Secretariat. In 1997, the UN established an NGO Working Group on the Security Council, whose members included organizations such as Care International, Human Rights Watch (HRW), MSF and Oxfam. These NGOs played a role in defining and promoting the evolution of the POC norm. For example, on 12 April 2000, the Ambassador of the Netherlands convened a meeting on POC in armed conflict with CARE, MSF and Oxfam, and the contributions of these NGOs helped informed the content of Resolution 1296,²⁰⁷ the UN’s second thematic Resolution on POC. The OCHA contributed to the

²⁰² United Nations Press Release, SG/SM/7263 AFR/196, 16 December 1999.

²⁰³ Traub, *The Best Intentions: Kofi Annan and the UN in the Era of American World Power*, 63.

²⁰⁴ Boutros Boutros-Ghali, *Unvanquished: A US-UN Saga* (London: I.B. Tauris & Co. Ltd., 1999).

²⁰⁵ Traub, *The Best Intentions: Kofi Annan and the UN in the Era of American World Power*, 132.

²⁰⁶ Ignatieff, “The Confessions of Kofi Annan.”

²⁰⁷ Paul, “Working with Nongovernmental Organizations,” 380.

evolution of the POC norm by drafting the Secretary-Generals reports on POC to the UNSC.²⁰⁸

These NGOs can be considered part of a larger TAN that exists to promote the growth of the POC norm. A TAN refers to a group of “actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services.”²⁰⁹ TANs use information politics,²¹⁰ symbolic politics,²¹¹ leverage politics,²¹² and accountability politics²¹³ to promote change in normative content or to enforce compliance with a norm. The emergence of a “globalized, 24/7 media” in the 1990s has assisted TANs in the spreading of information and the promotion of norms,²¹⁴ including the promotion of norms within IOs.²¹⁵

Demonstration of this new POC objective would not have been possible without the UK. Not only did the UK guide the Security Council on UNAMSIL and lead UNAMSIL’s POC efforts on the ground, but its interest in the hostage crisis and the conflict also “galvanized action among a host of players who might otherwise not have considered Sierra Leone a priority,” particularly the US.²¹⁶ In the mid-1990s, the stipulations of PDD-25 prevented the

²⁰⁸ “Thematic Areas: Protection,” United Nations Office for the Coordination of Humanitarian Affairs website, accessed 4 November 2013, <http://www.unocha.org/what-we-do/policy/thematic-areas/protection>.

²⁰⁹ Keck and Sikkink, “Transnational Advocacy Networks in International and Regional Politics,” 89.

²¹⁰ “The ability to move politically usable information quickly and credibly to where it will have the most impact” (Keck and Sikkink, “Transnational Advocacy Networks in International and Regional Politics,” 95). For example, testimonies taken from civilians caught in conflict in Sierra Leone were used by Sierra Leonean civil society to pressure the UK to act in Sierra Leone (Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL* 22-23).

²¹¹ “The ability to call upon symbols, actions or stories that make sense of a situation or claim for an audience that is frequently far away” (Keck and Sikkink, “Transnational Advocacy Networks in International and Regional Politics,” 95). Keck and Sikkink argue that “activists frame issues by identifying and providing convincing explanations for powerful symbolic events, which in turn become catalysts for the growth of networks” (Ibid). The Rwandan genocide became a powerful symbolic event, used by TANs to catalyze the growth of the POC agenda.

²¹² “The ability to call upon powerful actors to affect a situation where weaker members of a network are unlikely to have influence” (Keck and Sikkink, “Transnational Advocacy Networks in International and Regional Politics,” 95). TANs especially have moral leverage over more powerful actors that place a high value on international prestige, such as the use of moral leverage by NGOs on the ground in Somalia in 1991 in order to generate a greater humanitarian response from the UN.

²¹³ “The effort to oblige more powerful actors to act on vaguer policies or principles they formally endorsed” (Keck and Sikkink, “Transnational Advocacy Networks in International and Regional Politics,” 95). Efforts by TANs led to the US Congress supporting the position that the campaign of ethnic cleansing occurring in Darfur was actually genocide.

²¹⁴ Brooks, “The UN Security Council and Civilian Protection,” 12.

²¹⁵ Susan Park, “Norm diffusion within international organizations: a case study of the World Bank,” *Journal of International Relations and Development* 8 (2005): 111-141.

²¹⁶ Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 95.

US from becoming involved in the Sierra Leonean conflict; in the late 1990s, the US' focus centered around Liberia. But in 1999, the US' new Ambassador to the UN, Richard Holbrooke, encouraged the idea of a stronger US peacekeeping presence on the continent. In January 1999, he spent the entirety of his presidency on the Security Council focusing on African security issues.²¹⁷ Holbrooke, remembering Rwanda and Somalia, pushed Washington to respond in favor of strengthening UNAMSIL in the aftermath of the hostage crisis.²¹⁸ Thus, while the US had played an active role in limiting UNAMSIL's strength in 1999, it began to work with the UK on the Security Council to mobilize support and elicit contributions from member states in 2000.²¹⁹ Without support from the US, the Security Council would not have been able to authorize enforcement powers for UNAMSIL, which were the key to the mission's victory.

In summation, the UN Secretariat, Security Council and NGOs played significant roles in defining and promoting normative evolution during UNAMSIL. Both advocated for the use of authorizing a peace mission to use force to protect civilians "under imminent threat of physical violence" for the first time in UN history. In particular, the Secretary-General and the UK played a strong role in drawing the Council's attention to the human rights situation in Sierra Leone. However, without diplomatic pressure from the UK on the Security Council and military assistance from the UK on the ground, the UN would have been unable to demonstrate this POC agenda in Sierra Leone.

4.4 Motives

This section explores which motives best explain normative change during UNAMSIL. Was normative evolution at the UN during UNAMSIL motivated primarily by ideational influences or praxis-challenges?

Criticism over the UN's complicity in the Rwandan genocide and Srebrenica massacre inspired a period of introspection under Annan, who had been with the DPKO at

²¹⁷ Hirsch, "Sierra Leone," 530.

²¹⁸ Ibid.

²¹⁹ Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 95.

the time of both tragedies. This introspection led to a proliferation of work on the UN's POC agenda, as well as to the organization's renewed commitment to playing a military role in protecting civilians during its peace missions.

On the one hand, the evolution of the POC norm at the UN was driven by the organization's evolving notions of appropriate behavior regarding civilians in conflict. The UN's actions (or, rather, inaction) in Rwanda and Srebrenica attracted severe criticism, with specific regard to the organization's peace missions. This criticism signaled to the UN that the international community had come to expect the UN to protect civilians during conflict. Changed conceptions of international security that promoted the rights of individuals over the rights of states drove the UN to develop standards for civilian protection in areas of conflict in the late 1990s,²²⁰ and the UN began to institutionalize POC in reports and UNSC Resolutions. For example, the UN's report on Rwanda recommended that the mandates of future UN peace missions include specific provisions related to POC, and the Brahimi Report suggested that UN peace soldiers who witness violence against civilians should be presumed to be authorized to stop it. In this way, ideational progress influenced the evolution of the POC norm at the UN.

On the other hand, behavior most often has dual motives when 'humanitarian' or 'moral' motives are involved.²²¹ For the UN, ideological motives must be considered alongside motives for organizational survival. Criticism of the UN's failures in Somalia motivated the UN to scale back some its more complicated peacekeeping tasks, including POC. But the UN's greater peacekeeping fiascos in Rwanda and former Yugoslavia "discredited peacekeeping, and indeed the UN itself, for it was above all through the deployment of blue helmets that the UN realized its founding ideals."²²² By 1996, the US owed the UN \$1.6 billion in backlogged dues, and that same year Congress voted unilaterally that it would begin to pay only 25 percent of the UN's peacekeeping costs, as opposed to the 31 percent it was assessed.²²³ Other nations had been ignoring their

²²⁰ The legitimacy and impartiality bestowed upon it by its very composition made it one of the few actors that could do so.

²²¹ Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 101-102.

²²² Traub, *The Best Intentions: Kofi Annan and the UN in the Era of American World Power*, 111.

²²³ Traub, *The Best Intentions: Kofi Annan and the UN in the Era of American World Power*, 132.

payments as well, “claiming that they would only be paying what the Americans owed.”²²⁴ The US demanded reform, and thus the survival of the organization (or at least its peace missions) required change.

Boutros-Ghali had little interest in examining the UN’s own failures. Instead, he lectured others about their global obligations, which infuriated the conservative members of Congress even more.²²⁵ Initially, Annan also resisted pressure from some of his colleagues to investigate the UN’s complicity in the Rwandan genocide and Srebrenica massacre. In June 1998, during a belated apology speech given in Rwanda, Annan had in fact emphasized that forces internal to Rwanda were most responsible for the genocide.²²⁶ And, after the report on Rwanda was released, Annan was inclined to dispute its findings because he thought the UN took too large a share of the blame.²²⁷ But Annan’s eventual acceptance of blame revealed that he “understood how very deep and urgent was the need for change.”²²⁸

Constructivist work on IOs argues that IOs, as bureaucracies, change in ways that tend to expand the size and scope of tasks. This constitutive argument emphasizes the internal logic of IOs as they expand their functions beyond their initial mandate in order to prove their relevance and guarantee their own survival. They do this in part by framing situations “in ways that permit, or even require, more intervention.”²²⁹ Thus, the UN was motivated by praxis-challenges not to reduce the number of tasks for which its peace soldiers were responsible, but rather to expand them. By laying blame for the Rwandan genocide and Srebrenica massacres with itself, the UN framed POC during armed conflicts as a problem it could and should solve. Subsequently, the UN worked fervently to expand POC as a concept, which would only lead to more tasks for the peace soldiers on the ground and the UN as a whole.

Ultimately, motives of organizational survival inspired the UN’s renewed commitment to playing a military role in protecting civilians during its peace missions. The UN’s need to rebuild its reputation after its peacekeeping failures in Rwanda and former

²²⁴ Boutros-Ghali, *Unvanquished: A US-UN Saga*, 16.

²²⁵ Ibid.

²²⁶ Traub, *The Best Intentions: Kofi Annan and the UN in the Era of American World Power*, 114.

²²⁷ Traub, *The Best Intentions: Kofi Annan and the UN in the Era of American World Power*, 115.

²²⁸ Traub, *The Best Intentions: Kofi Annan and the UN in the Era of American World Power*, 115.

²²⁹ Barnett and Finnemore, *Rules for the World: International Organizations in Global Politics*, 9.

Yugoslavia compelled organizational change. For this same reason, the Security Council explicitly mandated UNAMSIL to protect civilians “under imminent threat of physical violence” in Resolution 1270.

4.5 Mechanisms

This section explores the mechanisms behind normative evolution during UNAMSIL. Did normative evolution occur during UNAMSIL primarily through institutionalization or demonstration?

Throughout UNAMSIL, there was large-scale institutionalization of the UN’s enhanced POC agenda for its peace missions in rhetoric. Institutionalization included the UN reports on Rwanda and Srebrenica, thematic Security Council resolutions on the protection of civilians and the Brahimi Report. The General Assembly had requested an investigation of the civilian massacre at Srebrenica,²³⁰ and the Security Council approved Annan’s request to set up an independent inquiry of the UN’s role in the Rwandan genocide.²³¹ The resulting reports confirmed the UN’s guilt in both tragedies. The reports also offered recommendations regarding the UN’s military role in POC, “lessons that must be learned if [the UN is] to expect the peoples of the world to place their faith in the United Nations.”²³² First, with regard to genocide or ethnic cleansing, the report on Srebrenica argued that the “cardinal lesson of Srebrenica is that a deliberate and systematic attempt to terrorize, expel or murder an entire people must be met decisively with all necessary means, and with the political will to carry the policy through to its logical conclusion.”²³³ Second, with regard to POC during armed conflict, the report on Rwanda acknowledged that the mere presence of peace soldiers raises expectations of protection among civilians. It argued that “efforts need to be made to improve the protection of civilians in conflict

²³⁰ United Nations General Assembly, A/53/35, 30 November 1998, paragraph 18.

²³¹ President of the United Nations Security Council, S/1999/340, 26 March 1999.

²³² United Nations Secretary-General, *Report of the Secretary-General pursuant to General Assembly Resolution 53/55: The Fall of Srebrenica*, 498.

²³³ United Nations Secretary-General, *Report of the Secretary-General pursuant to General Assembly Resolution 53/55: The Fall of Srebrenica*, 502.

situations”²³⁴ and recommended that “[s]pecific provisions related to the protection of civilian populations should be included in the mandates of peacekeeping operations wherever appropriate and ensure the necessary resources for such protection.”²³⁵

The UN also produced a series of thematic resolutions dealing with the protection of civilians in armed conflict. Its thematic work was partly inspired by the Secretary-General’s report, *The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa*, which defined the protection of civilians as a humanitarian imperative.²³⁶ After the release of the report, the Security Council expressed its concern over the continued targeting of civilians during armed conflict.²³⁷ Its first thematic resolution, Resolution 1261, condemned the targeting of children during armed conflict and urged “all parties to armed conflicts to abide by concrete commitments made to ensure the protection of children in situations of armed conflict.”²³⁸ ²³⁹ The Security Council also requested that the Secretary-General submit a report with recommendations on how to improve the physical and legal protection of civilians, and in September 1999 Annan issued a report recommending that “in situations where the parties to the conflict commit systematic and widespread breaches of international humanitarian and human rights laws, causing threats of genocide, crimes against humanity and war crimes, the Security Council should be prepared to intervene under Chapter VII of the Charter.”²⁴⁰

Later that month, the Security Council approved its second thematic resolution on POC. Resolution 1265 condemned the deliberate targeting of civilians and expressed the Security Council’s “willingness to respond to such situations of armed conflict where

²³⁴ United Nations, *Report of the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda*, S/1999/1257, 15 December 1999, 53.

²³⁵ United Nations, *Report of the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda*, 57.

²³⁶ United Nations Secretary-General, *The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa*, A/52/871-S/1998/318, 13 April 1998, paragraph 49.

²³⁷ President of the United Nations Security Council, S/PRST/1999/6, 12 February 1999.

²³⁸ United Nations Security Council, S/RES/1261, 25 August 1999.

²³⁹ Resolution 1261 was partly inspired by a report published by UNICEF’s Special Rapporteur, Graca Machel, in 1996. The report, entitled *Impact of Armed Conflict on Children*, estimated that two million children had perished during conflict over the last decade. It recommended measures to improve the physical protection of children affected by armed conflict, and it recommended that special consideration for children affected by conflict be incorporated in UN peace missions, emphasizing the role that peacekeeping forces can play in promoting and respecting children’s rights (Graca Machel, *Impact of Armed Conflict on Children*, A/51/306, 26 August 1996).

²⁴⁰ United Nations Secretary-General, S/1999/957, 21.

civilians are being targeted...including through the consideration of appropriate measures at the Council's disposal in accordance with the Charter of the United Nations."²⁴¹ Resolution 1265 marked a definitive change in the Security Council's stance on POC in two ways. First, it made clear the Council's willingness to authorize the use of force to protect civilians during armed conflict, whereas before the Council had only been willing to use force to protect safe areas or to ensure the safe delivery of humanitarian aid. Second, it argued the targeting of civilians had a direct impact on durable peace, reconciliation and development because civilians now "account for the vast majority of casualties in armed conflicts and are increasingly targeted by combatants and armed elements."²⁴² If failures to protect civilians could undermine durable peace, then the protection of civilians was an integral part of the UN's promise to maintain international peace and security.²⁴³ Therefore, starting in 1999, the UN began to define itself "by its commitment to preventing conflict-related harm to individuals, at least when such harm occurred on a large scale."²⁴⁴

In August 2000, the Panel on United Nations Peace Operations published its report, known more commonly as the Brahimi Report. Annan had assembled the Panel in March 2000 in preparation for the upcoming Millennium Summit, when world leaders would meet at the UN to discuss the role of the international organization in the 21st century. The Panel was charged with undertaking a thorough review of UN peace missions and presenting "a clear set of specific, concrete and practical recommendations to assist the United Nations in conducting such activities better in the future."²⁴⁵ With regard to POC, the Brahimi Report recommended:

United Nations peacekeepers – troops or police – who witness violence against civilians should be presumed to be authorized to stop it, within their means, in support of basic United Nations principles. However, operations given a broad and explicit mandate for civilian protection must be given the specific resources needed to carry out that mandate.²⁴⁶

²⁴¹ United Nations Security Council, S/RES/1265, 17 September 1999.

²⁴² Ibid.

²⁴³ Brooks, "The UN Security Council and Civilian Protection," 18.

²⁴⁴ Ibid.

²⁴⁵ Lakhdar Brahimi, *Report of the Panel on United Nations Peace Operations*, A/55/305, S/2000/809, 21 August 2000, i.

²⁴⁶ Brahimi, *Report of the Panel on United Nations Peace Operations*, A/55/305, S/2000/809, x.

The Brahimi Report made mention of UNAMSIL's operational difficulties multiple times. Fortunately for Sierra Leoneans, UNAMSIL also became the testing ground for the report's recommendations.²⁴⁷ By 2002, the UN's commitment to ensuring UNAMSIL's success in POC was reflected in the fact that UNAMSIL "was the largest and most expensive UN mission on the ground, with over 17,000 troops and a large civilian staff, at a total cost of nearly \$US 700 million a year."²⁴⁸

In addition, organizational capacity also increased, in part to make room for enhanced the enhanced POC agenda. The DPKO had already benefitted from the addition of an Office for Planning and Support for mission planning and logistics, a Field Missions Procurement Section and a permanently staffed Situation Room since UNOSOM.²⁴⁹ But after the Rwandan genocide, the UN created the Lessons Learned Unit for the DPKO, which "gave the UN for the first time an institutional memory in relation to peacekeeping and an institutional capacity to begin addressing broader conceptual issues," such as POC.²⁵⁰ After the Brahimi Report, which recommended that more resources be devoted to the DPKO to support peace missions, the DPKO began to expand further. Moreover, due in part to the large-scale incidence of child abduction and soldiering in Sierra Leone, the Security Council approved a proposal that a Senior Child Protection Advisor (CPA) be deployed with every future UN peace mission.²⁵¹ The CPA's job includes ensuring that the protection of children remains a priority throughout peace missions and post-conflict peace processes.²⁵²

Though the Security Council equipped UNAMSIL with a robust mandate, several significant issues prevented UNAMSIL troops from demonstrating POC consistently. UNAMSIL initially lacked the troop strength to allow for widespread deployment into areas controlled by the RUF where civilian casualties were occurring. Moreover, poor communication between UNAMSIL contingencies resulted in civilian casualties in UNAMSIL controlled areas in Freetown and in the capital's proximity. UNAMSIL's Force Commander reported that, months after the establishment of UNAMSIL, he was still unable to talk

²⁴⁷ Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 92.

²⁴⁸ Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 111.

²⁴⁹ Alex Bellamy and Paul Williams, *Understanding Peacekeeping* (Cambridge: Polity Press, 2010), 53.

²⁵⁰ Ibid.

²⁵¹ United Nations Security Council, S/RES/1314, 11 August 2000.

²⁵² Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight*, 33.

directly to any of his battalion commanders.²⁵³ UNAMSIL troops lacked a “commonly shared understanding of the mandate and rules of engagement.”²⁵⁴ Some contingencies were later singled out for their unwillingness to use force to protect civilians and colleagues.²⁵⁵ Others, according to the Force Commander, were not briefed in their country about the application of Chapter VII,²⁵⁶ and some were confused about what actually constituted an imminent threat. Finally, coordination between the military and humanitarian components of UNAMSIL was poor, and early enforcement action against the RUF undermined the neutrality of the UN’s humanitarian agencies on the ground. Between May and July 2000, not a single meeting took place between the Special Representative to the Secretary-General (SRSG), who was in charge of UNAMSIL, and the UN humanitarian agencies.²⁵⁷

Thus, by March 2000, the security situation for civilians had not much improved. In his third report to the Security Council on UNAMSIL, the Secretary-General noted that the human rights situation in RUF-controlled areas remained poor, even in UNAMSIL controlled areas such as Port Loko, “where looting of villages, house burnings, harassment and abduction of civilians, rape and sexual abuse continue.”²⁵⁸ HRW documented numerous rebel abuses in the Port Loko area during January and February 2000.²⁵⁹ Some attacks occurred less than a kilometer from UNAMSIL checkpoints. HRW accused UNAMSIL troops of being unwilling to intervene to protect the civilian population, despite having the authorization to do so. The hostage crisis in May 2000 revealed precisely how unwilling some forces were to employ authorized levels of force. UNAMSIL’s public image sank as a result of its failures to protect civilians and the hostage situation. It was accused of military

²⁵³ Vijay Jetley, “Report on the Crisis in Sierra Leone,” in Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 88.

²⁵⁴ United Nations Secretary-General, S/2000/751, 31 July 2000, 9.

²⁵⁵ Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 63.

²⁵⁶ Jetley, “Report on the Crisis in Sierra Leone,” in Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 88.

²⁵⁷ Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 97.

²⁵⁸ Jetley, “Report on the Crisis in Sierra Leone,” in Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 88.

²⁵⁹ Human Rights Watch, “Rebel Abuses Near Sierra Leone Capital,” 4 March 2000, Accessed 25 September 2013, <http://www.hrw.org/news/2000/03/03/rebel-abuses-near-sierra-leone-capital>.

incompetence by the media and referred to by unfortunate acronyms such as “U-NASTY” and “UNAMSILLY” on the streets of Sierra Leone.²⁶⁰

UNAMSIL’s demonstration of its POC objectives improved after the hostage crisis. The influx of UK troops provided the additional manpower necessary to prevent the RUF from retaking Freetown, where it had murdered thousands of civilians during “Operation No Living Thing” during January 1999. With help from the UK, UNAMSIL was better able to protect civilians around Freetown from May 2000.²⁶¹ UNAMSIL soldiers were subjected to internal training programs and given pocket-sized cards with UNAMSIL’s ROE on them, including the explicit authorization to use force to protect civilians.²⁶² This way, UNAMSIL soldiers shared an understanding of the mandate and the ROE, and much of the confusion that led to the hostage crisis and civilian casualties was eliminated. The structure of UNAMSIL was reorganized to improve coordination between its military and humanitarian components. The SRSG served as the head Humanitarian Coordinator and the head Resident Coordinator, which resulted in more cooperation and more successful POC. This model worked well, and inspired the UN’s ‘integrated missions’ approach.²⁶³ Finally, the UN Security Council authorized greater troop strength and eventually granted UNAMSIL Chapter VII powers to pro-actively counter RUF threats and to restore law and order to Sierra Leone.²⁶⁴ The implementation of this mandate took time, but eventually UNAMSIL soldiers were able to conduct long patrols into RUF-controlled areas and forcibly disarm the rebels. The forced disarmament of the rebels resulted in the elimination of the main threat to the civilian population.

Unfortunately, UNAMSIL was accused of physically and sexually abusing civilians in Sierra Leone. There is evidence that a commercial sex trade involving child prostitutes formed specifically to cater for UNAMSIL soldiers,²⁶⁵ and a study commissioned by the UNHCR and the UK-based charity Save the Children released a study that UNAMSIL soldiers had sexually exploited refugee children, most of them girls aged thirteen to eighteen in

²⁶⁰ Olanisakin, *Peacekeeping in Sierra Leone: The Story of UNAMSIL*, 67.

²⁶¹ Lamp and Trif, “United Nations Peacekeeping Forces and the Protection of Civilians in Armed Conflict,” 12.

²⁶² Lamp and Trif, “United Nations Peacekeeping Forces and the Protection of Civilians in Armed Conflict,” 11.

²⁶³ Discussed further in Chapter 5.

²⁶⁴ United Nations Security Council, S/RES/1313, 4 August 2000.

²⁶⁵ Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight*, 34.

February 2002.²⁶⁶ These allegations were especially disturbing given the vulnerability of Sierra Leonean children to abuse and abduction and the efforts made by the UN to counter this vulnerability with Resolution 1261 and Resolution 1314.²⁶⁷

Thus, large-scale institutionalization of normative evolution occurred during UNAMSIL in both rhetoric and organizational capacity. Demonstration, however, was contingent upon military and diplomatic support from the UK. Without the UK's military support, UNAMSIL would not have been able to protect civilians around Freetown. Without the UK's diplomatic support, UNAMSIL may not have received the necessary troops and Chapter VII powers to forcibly disarm the rebels.

4.6 Conclusion

To summarize, UNAMSIL saw the most significant contribution to the POC norm's evolution since UNOSOM II with Resolution 1270. Starting with UNAMSIL, it has become common-practice for the Security Council to mandate UN peace missions to protect civilians "under imminent threat of physical violence."²⁶⁸

The inclusion of POC in Resolution 1270 stemmed from the work of the Secretariat and NGOs, who defined and promoted normative change. However, without diplomatic pressure from the UK on the Security Council and military assistance from the UK on the ground, the UN would have been unable to demonstrate this expanded POC agenda in Sierra Leone.

The UN Secretariat was motivated to enhance the UN's POC agenda after its failures to protect civilians during UN peace missions in Rwanda and former Yugoslavia attracted

²⁶⁶ UNHCR and Save the Children-UK, "Sexual Violence and Exploitation: The Experience of Refugee Children in Guinea, Liberia and Sierra Leone," February 2002, Accessed 25 September 2013, http://www.savethechildren.org.uk/sites/default/files/docs/sexual_violence_and_exploitation_1.pdf.

²⁶⁷ United Nations Security Council, S/RES/1314, 11 August 2000.

²⁶⁸ Since Resolution 1270, the UN has included POC in the mandates of at least eleven other UN-led peace missions: United Nations Mission in the Central African Republic and Chad (MINURCAT), United Nations Organization Mission in the Democratic Republic of Congo (MONUC), United Nations Operation in Burundi (ONUB), United Nations Mission in Cote d'Ivoire (UNOCI), AU/UN Hybrid Operation in Darfur (UNAMID), United Nations Mission in Sierra Leone (UNAMSIL), United Nations Mission in Liberia (UNMIL), and United Nations Mission in Sudan (UNMIS), United Nations Mission in South Sudan (UNMISS) and United Nations Interim Force for Abyei.

harsh criticism to the organization. With the organization's survival in jeopardy, the UN expanded its functions in order to prove its relevance. Subsequently, the UN produced multiple reports and resolutions on POC, which would ultimately tie the reputation of the organization to its ability to protect civilians from harm during armed conflict in the future, including in Sierra Leone. Thus, the ultimate motives were not ideational influences or praxis-challenges, but rather organizational survival.

Initially, normative evolution during UNAMSIL was marked by a high degree of institutionalization and a low degree of demonstration. After the hostage crisis in May 2000, however, the implementation of the POC norm on the ground improved under the diplomatic and military direction of the UK. When UNAMSIL's mandated POC objectives were finally backed with the appropriate resources, the peace mission was able to disarm the rebels and remove the main threat to the civilian population.

Chapter 5

Sudan: Normative Evolution during the UN Peace Mission in the Sudan (UNMIS)

5.1 Introduction

From March 2005 to July 2011, the UN conducted a peace mission in Sudan. The purpose of this chapter is to explore how the POC norm evolved during the course of UNMIS (March 2005-July 2011) using the Constructivist framework outlined in Chapter 1. First, I provide background information that outlines the national and international context and explains the state of the POC norm at the start of UNMIS. Then, I employ the following questions in order to achieve the stated objective:

Who were the main actors that defined and promoted normative evolution within the UN during UNMIS? Who were the main actors that were capable of demonstrating normative evolution on the ground? Was normative evolution at the UN during UNMIS motivated primarily by ideational influences or praxis-challenges? Finally, did normative evolution occur during UNMIS through institutionalization or demonstration?

5.2 Background: The POC Norm Prior to UNMIS

5.2.1 National Context

Sudan's history since its independence from Britain in 1956 is one of intrastate wars. From 1956 to 1972, and again from 1983 to 2005, civil war pitted tribes from southern Sudan against the central government in the north. The government, along with perpetuating the system of uneven development between the north and the south imposed by the British, also instituted policies of forced Arabization and Islamization on the southern tribes. The southern tribes, united under the Sudan People's Liberation Army

(SPLA), fought over a period of nearly five decades to create a multi-ethnic, multi-religious, and secular Sudan; failing that, the tribes would fight to secede and form an independent South Sudan.²⁶⁹ In 1987, the Sudanese state of Darfur launched its first of three rebellions. Though Darfur is located in north Sudan, like the south it is impoverished and politically marginalized, and it is also subject to drought and famine. The Darfuri tribes rebelled again in 1995 and 2003.

Thus, for many years, the Sudanese government had to fight a civil war against southern tribes and quell rebellions in Darfur concurrently. While the main causes of these conflicts are disputed, it is agreed that civilian casualties were high and the main perpetrators of attacks against civilians were government-backed militias.²⁷⁰ By 2005, the civil wars had left 2.5 million dead and displaced 4 million more.²⁷¹ Roughly 300,000 people died during the third Darfur rebellion alone (2003-2010),²⁷² with such speed and brutality that some observers called it genocide.²⁷³

5.2.2 International Context

As the 20th century came to an end, the UN brought world leaders together to reflect upon global challenges and to affirm the role of the UN in correcting the disparities of globalization. In anticipation of the Summit, Annan prepared his Millennium Report, where he described the devastating effects of the internal wars of the 1990s, which “violated, not

²⁶⁹ Andrew Natsios, *Sudan, South Sudan and Darfur: What Everyone Needs to Know* (Oxford: Oxford University Press, 2012), 13.

²⁷⁰ Scott Straus, “Darfur and the Genocide Debate,” *Foreign Affairs* 84,1 (2005).

²⁷¹ Natsios, *Sudan, South Sudan and Darfur: What Everyone Needs to Know*, 1.

²⁷² The number of civilian casualties accrued during the third Darfur rebellion is particularly contentious. The lowest civilian casualty estimates come from the Sudanese national government, which claims that only 20,000 civilians died (Natsios, *Sudan, South Sudan and Darfur: What Everyone Needs to Know*, 150-155). Some of the highest estimates come from American journalists and advocacy groups, such as the Enough Campaign and the Save Darfur Coalition. The inevitable truth is that the number of casualties was manipulated not only by the Sudanese government, but also by those advocating for an external military intervention into Darfur. For example, between 2004 and 2006, journalist Nicholas Kristof’s mortality estimates fluctuated considerably. In 2004, he called what was going on in Darfur a genocide and estimated that up to 1,000 people were dying a week. After a report by a UN Commission ruled that the killings in Darfur were *not* in fact genocidal, Kristof admitted that the numbers were “fuzzy” (Mahmood Mamdani, “The Politics of Naming: Genocide, Civil War and Insurgency,” *The London Review of Books*, 8 March 2007).

²⁷³ Nicholas Kristof, “Dare We Call it Genocide?” *The New York Times*, 16 June 2004.

so much borders, as people.”²⁷⁴ He argued that, in the aftermath of these internal wars, a new understanding of the concept of security was emerging, one that focused on the protection of communities and individuals instead of the sanctity of international borders.²⁷⁵ In the subsequent United Nations Millennium Declaration, all member states of the UN pledged to expand and strengthen the protection of civilians in complex emergencies.²⁷⁶

Also in his Millennium Report, Annan wrote that existing international conventions expected the nation-state to be the primary guarantor of civilian security within its borders, but national governments were too often the perpetrators of violence against civilians throughout the 20th century. Annan reminded his readers of his address to the General Assembly in September 1999, where he recommended that widespread violations of IHL merited intervention under Chapter VII of the UN Charter.²⁷⁷ This recommendation had provoked a backlash from nation-states concerned that human rights would be used as a guise to intervene in the affairs of smaller states. Annan said he understood concerns about humanitarian intervention violating state sovereignty,

But to the critics I would pose this question: if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica—to gross and systematic violations of human rights that offend every precept of our common humanity.²⁷⁸

In response, the Canadian government commissioned International Commission on Intervention and State Sovereignty (ICISS) to mitigate the challenges presented to humanitarian intervention by state sovereignty. The ICISS’ subsequent report, *The Responsibility to Protect*, established the concept of ‘the responsibility to protect’ (R2P), which built upon the POC agenda by overruling the need for state consent.²⁷⁹

²⁷⁴ Kofi Annan, *We The Peoples: The Role of the United Nations in the 21st Century* (New York: United Nations Department of Public Information, 2000), 43.

²⁷⁵ Ibid.

²⁷⁶ United Nations General Assembly, S/RES/55/2, 18 September 2000.

²⁷⁷ United Nations Secretary-General, S/1999/957, 21.

²⁷⁸ Kofi Annan, *We The Peoples: The Role of the United Nations in the 21st Century* (New York: United Nations Department of Public Information, 2000), 47.

²⁷⁹ The International Commission on Intervention and State Sovereignty (ICISS), *The Responsibility to Protect* (Ottawa: The International Development Research Center, December 2001).

Before the report could be published, the events of 11 September 2001 devastated the US and brought terrorism to the fore of the international community's concerns. In response to the attacks, the US launched military campaigns in Afghanistan and Iraq in 2001 and 2003, respectively. The UN responded to the upsurge in global terrorism as "a new kind of threat to civilians," and its work on expanding POC as a concept and improving its implementation on the ground increased exponentially.²⁸⁰ In the five years preceding UNMIS, POC became and remained a significant issue at the UN, as indicated by the ten Security Council meetings, four statements from the President of the Security Council and three statements by the Secretary-General on POC from February 1999 to December 2004.

5.3 Actors

This section explores which actors were most responsible for normative evolution during UNMIS. Who were the main actors that defined and promoted normative evolution within the UN? Who were the main actors that were capable of demonstrating normative evolution on the ground?

In 2005, Sudan's second civil war ended when the government and southern factions signed the Comprehensive Peace Agreement (CPA). The CPA established an autonomous government in South Sudan, and it stipulated that southerners would vote on secession in 2011. The UN created UNMIS to remain in Sudan from 2005 to 2011, during which time UNMIS' main focus would be facilitating "political progress towards consolidation of the recently signed peace agreement through political support, monitoring and verification, humanitarian and development assistance, and governance capacity building."²⁸¹ Because of UNMIS' broad agenda, the Secretary-General stressed the importance of making UNMIS an 'integrated mission,' where the SRSG has authority over all UN activities in the country and coordinates the work of development, humanitarian and military actors. Resolution 1590 put the SRSG for Sudan, Jan Pronk, in charge of

²⁸⁰ United Nations Secretary-General, S/2002/1300, 26 November 2002, 4.

²⁸¹ Holt and Taylor, *Protecting Civilians in the Context of Peace Operations*, 317.

establishing the overall framework that would guide UNMIS' activities and ensuring that all the components of the UN in Sudan pursued a coordinated and coherent approach.²⁸²

UNMIS' activities included POC tasks traditionally coordinated by humanitarian and development agencies, such as mobilizing resources for short-term humanitarian assistance as well as long-term economic development. Given the frequency and nature of attacks against civilians during the Sudanese civil war, the Security Council also expressed its concern for POC in Resolution 1590 and authorized UNMIS to protect humanitarian workers and civilians under imminent threat of physical violence under Chapter VII of the UN Charter.²⁸³ However, POC was not one of UNMIS' main priorities; rather UNMIS' primary purpose was to be "an observer and verification force to assist implementation of the CPA."²⁸⁴

Whereas previous UN peace missions generally addressed POC with three separate strategies (development, humanitarian and military), POC became a coordinated activity under UNMIS. UNMIS had its own Protection of Civilians section, whose responsibility it was to coordinate all efforts towards the protection of civilians.²⁸⁵ This was the first POC section ever devised for a UN peace mission. However, UNMIS' POC strategy was never fully integrated. Instead, reports from the POC section failed to mention any coordination between civilian and military actors with regard to POC on the ground.²⁸⁶ In 2008, the UN's newest Secretary-General, Ban Ki-moon, suggested that UNMIS increase its military role in POC,²⁸⁷ but the mission's ensuing CONOPS did not elaborate any further on UNMIS' role in POC. Subsequent violence against civilians in Abyei, a disputed region in the middle of Sudan, prompted the US Special Envoy to Sudan to criticize UNMIS. The Security Council then passed Resolution 1870, which extended the mandate of UNMIS and focused on several POC issues, such as the presence of the LRA and the need to develop a comprehensive strategy on POC.²⁸⁸ Despite this interest, POC would remain a secondary

²⁸² United Nations Secretary-General, "Note of Guidance on Integrated Missions," 17 January 2006, paragraph 5.

²⁸³ United Nations Security Council, S/RES/1590, 24 March 2005.

²⁸⁴ Holt and Taylor, *Protecting Civilians in the Context of Peace Operations*, 318.

²⁸⁵ United Nations Mission in Sudan (UNMIS), "Protection of Civilians: Fact Sheet," 7 September 2009.

²⁸⁶ Holt and Taylor, *Protecting Civilians in the Context of Peace Operations*, 325.

²⁸⁷ United Nations Secretary-General, S/2008/267, 22 April 2008.

²⁸⁸ United Nations Security Council, S/RES/1870, 30 April 2009.

concern for UNMIS. The Security Council stressed that the Sudanese government bore ultimate responsibility for its own citizens, and that it was the Sudanese government that ultimately needed to take the steps to restore effective assistance to Sudan's most vulnerable civilians.²⁸⁹

In July 2006, the Secretary-General suggested that the UN lend short-term support to the African Union Mission in Sudan (AMIS) before expanding UNMIS into Darfur to replace AMIS in early 2007.²⁹⁰ UNMIS' main tasks in Darfur would include supporting the peace process and good offices; promoting the rule of law, governance and human rights; coordinating humanitarian assistance; and providing security and physical protection, including protection for civilians under imminent threat.²⁹¹ The Security Council's deliberations around Resolution 1706, which authorized of UNMIS' expansion into Darfur in Resolution 1706, expressed "a strong understanding of and commitment to the international community's responsibility to protect civilians."²⁹²

The Sudanese government, however, rejected the idea of a UN peace mission for Darfur. Without consent from the Sudanese government, the UN would not deploy its troops, despite pleas from many actors to enact R2P. As early as March 2004, the UN's humanitarian coordinator in Sudan called the situation in Darfur genocide. Speaking to reporters, he said, "The only difference between Rwanda and Darfur now is the numbers involved."²⁹³ The US State Department supported that claim in July 2004, after a mass civil society campaign led two Congressmen to introduce resolutions in the House of Representatives that called the violence in Darfur genocide.²⁹⁴ During an address to the General Assembly, Bush repeated this genocide charge.²⁹⁵ At American behest, the UN Security Council established the International Commission of Inquiry on Darfur (ICID), which found no evidence of genocidal intent in Darfur, but the UN Security Council decided to refer Darfur to the International Criminal Court (ICC) nonetheless. Darfur became the first case the Security Council referred to the ICC, and its referral continued the Security

²⁸⁹ Holt and Taylor, *Protecting Civilians in the Context of Peace Operations*, 332.

²⁹⁰ United Nations Secretary-General, S/2006/591, 28 July 2006.

²⁹¹ Ibid.

²⁹² Holt and Taylor, *Protecting Civilians in the Context of Peace Operations*, 342.

²⁹³ Julie Flint and Alex de Waal, *Darfur: A New History of a Long War* (London: Zed Books, 2008), 179

²⁹⁴ Flint and de Waal, *Darfur: A New History of a Long War*, 180-181.

²⁹⁵ Straus, "Darfur and the Genocide Debate," 130.

Council's trend of choosing post-conflict justice to punish perpetrators of IHL over intervention to halt abuses of IHL.

But instead of enacting R2P, the UN reached a compromise with the Sudanese government in the first months of 2007 that resulted in the creation of a joint AU/UN peacekeeping operation, the first of its kind. On 31 July 2007, the Sudanese government finally accepted the establishment of the African Union/United Nations Hybrid Operation in Darfur (UNAMID), though it stated publicly that UNAMID would to be composed mainly of African personnel. While UNAMID is still active in Darfur, UNMIS ended in July 2011 following the six and half year interim period set up by the CPA and the secession of South Sudan from Sudan.

In summation, the UN Secretariat and Security Council played a strong role defining and promoting POC objectives throughout UNMIS. The Secretariat developed the integrated mission, POC section and CPU in the hopes of better coordination and demonstration by the many actors involved in POC the ground. However, these same actors were unwilling to enact R2P in Darfur, despite pressure from international civil society and Congress.

5.4 Motives

This section explores which motives best explain normative evolution during UNMIS. Was normative evolution at the UN during UNMIS motivated primarily by ideational influences or praxis-challenges?

The Secretariat and Security Council were motivated by this ideational progress the UN had made in the field of POC in the five years prior to UNMIS to create a broad POC agenda for UNMIS. Between 1999 and 2004, the Secretariat and Security Council had considerably expanded POC as a concept beyond the protection of civilians from imminent physical danger. The conceptual expansion of POC began with the Security Council's thematic resolutions. Resolution 1265 highlighted some key aspects of POC beyond the protection of civilians from imminent physical danger, such as access to vulnerable populations; combating impunity; restoring law and order; adequately disarming,

demobilizing, reintegrating and rehabilitating ex-combatants; addressing small arms and mine action; training of security and peacekeeping forces; addressing the vulnerability of women; addressing the vulnerability of children; and providing safety and security for humanitarian and associated personnel.²⁹⁶ In April 2000, the Security Council passed its third resolution on POC, which the UN's "intention to ensure, where appropriate and feasible, that peacekeeping missions are given suitable mandates and adequate resources to protect civilians under imminent threat of physical danger."²⁹⁷ Resolution 1296 also further expanded the POC agenda to include measures to address the impact of media and the humanitarian impact of sanctions. Together, Resolutions 1261, 1265 and 1296 would form the core of the UN's normative framework on POC, on which it would base its POC agenda in future peace missions, including UNMIS.

UNMIS' POC agenda was also based on the OCHA's 2002 Aide Memoire. The Aide Memoire was created after a series of round tables with member states, UN agencies, the ICRC, NGOs and academic experts, who identified the key areas of POC that had been overlooked or poorly coordinated in past peace missions. It was designed to help the Security Council diagnose the key protection issues in a given conflict situation. The Security Council adopted the Aide Memoire developed by the OCHA as a practical tool on POC "for the consideration of issues pertaining to the protection of civilians during the Security Council's deliberation of peacekeeping mandates."²⁹⁸ It consisted of thirteen core POC objectives, eleven of which were listed in Resolutions 1265 and 1296. In addition, it listed the separation of civilians and armed elements and natural resources and armed conflict.²⁹⁹ The Aide Memoire was updated in 2003 and included one additional core objective for POC, security for displaced persons and host communities.

The greatest addition to POC conceptually was R2P.³⁰⁰ R2P framed sovereignty as state responsibility, not state control.³⁰¹ Sovereignty as responsibility implies that it "state

²⁹⁶ United Nations Security Council, S/RES/1265, 17 September 1999.

²⁹⁷ United Nations Security Council, S/RES/1296, 19 April 2000.

²⁹⁸ United Nations Press Release, SC/7329, 15 March 2002.

²⁹⁹ Ibid.

³⁰⁰ One can argue that POC and R2P are both part of a greater protection agenda, but that R2P constitutes its own norm or principle. One would argue that R2P distinguishes itself from POC because it is narrower in scope (it deals exclusively with genocide, crimes against humanity, war crimes and ethnic cleansing), deeper in response (advocating for prevention and rebuilding) and operational without host state consent. However, POC activities are not limited to situations of armed conflict. They can also occur in pre-conflict or post-

authorities are responsible for the functions of protecting the safety and lives of citizens and promotion of their welfare.”³⁰² When a state is unable or actively disregards the welfare of its citizens, “it becomes the responsibility of the international community to act in its place.”³⁰³ In its entirety, the R2P encompasses a holistic approach to human security that includes not only the responsibility to act in situations of “compelling human need,” but also to address the root causes of internal conflict before conflict arises (prevention) and after it occurs (rebuild).³⁰⁴ This holistic approach to protection necessitates coordination between development, humanitarian and security initiatives.

In 2004, Annan endorsed “the emerging norm that there is a collective international responsibility to protect”³⁰⁵ when he commissioned a panel to report on the world’s most pressing security needs before the 2005 World Summit. In the 2005 World Summit Outcome Document, member states affirmed that the international community, through the UN, has a responsibility to take collective action under Chapter VII of the Charter “should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”³⁰⁶ In 2006, the Security Council adopted Resolution 1674, which reaffirmed “the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”³⁰⁷ Resolution 1706 also reaffirmed paragraphs 138 and 139 of the World Summit Outcome Document.

conflict situations, as evident by POC activities carried out by UN peacekeepers in the aftermath of conflicts. The Brahimi Report makes clear that peacekeepers are authorized to stop violence against civilians without qualification, regardless of whether or not they are operating in the context of armed conflict. Moreover, since 1999, the Security Council has begun to authorize POC under Chapter VII of the UN Charter, meaning it is operational without consent. Thus, the two concepts are not as distinct as it may appear. For the purposes of this thesis, R2P is considered part of the POC norm (Hugh Breaky, “The Responsibility to Protect and the Protection of Civilians in Armed Conflict: Overlap and Contrasts,” in *Norms of Protection: Responsibility to Protect, Protection of Civilians and their Interaction*, 62-81).

³⁰¹ ICISS, *The Responsibility to Protect*, 13.

³⁰² Ibid.

³⁰³ ICISS, *The Responsibility to Protect*, 17.

³⁰⁴ ICISS, *The Responsibility to Protect*, XI.

³⁰⁵ United Nations, *A More Secure World: Our Shared Responsibility*, Report by the Secretary-General’s High Level Panel on Threats, Challenges and Change (New York: United Nations Department of Public Information 2004), 201.

³⁰⁶ United Nations General Assembly, A/60/L.1, “2005 World Summit Outcome,” 9 September 2005, 31.

³⁰⁷ United Nations Security Council, S/RES/1674, 28 April 2006.

While the POC agenda for UNMIS reflected the normative framework outlined by the Security Council's thematic resolutions and the OHCA's Aide Memoire, the Security Council could not bring itself to act upon R2P in Darfur. In previous situations where the UN had tried to implement POC objectives without consent from the host state or warring parties, the peace mission had failed to meet its objectives and the UN faced harsh criticism from the international community. Moreover, Darfur presented other operational difficulties that made failure for a UN peace mission there seem likely. Some warring factions were notoriously hostile towards peacekeepers. And, while some organizations like the International Crisis Group (ICG) released their report "Getting the UN into Darfur,"³⁰⁸ others like MSF warned that an invasion of Darfur by the UN would end in a bloodbath for peacekeepers, humanitarian workers and civilians alike.³⁰⁹ Thus, the UN hesitated to become enact R2P in Darfur, despite pressure from international civil society and Congress to intervene, because it wanted to avoid the criticism that would stem from a failure there.

It is clear that the UN's POC agenda was not motivated by praxis-challenges. If the UN had taken praxis-challenges into consideration, UNMIS' POC agenda would not have been as broad or ambitious. Boutros-Ghali believed that UN peace missions were ultimately ill-suited to carry out large enforcement operations or to perform complicated tasks such as protecting civilians, especially when compared to troops from nations with strong military capabilities, such as the US or the UK. Thus, in the 'Enforcement Action' section of his revised version of *An Agenda for Peace* (1995), Boutros-Ghali argued:

"[N]either the Security Council nor the Secretary-General at present has the capacity to deploy, direct, command and control operations for this purpose, except perhaps on a very limited scale. I believe that it is desirable in the long term that the United Nations develop such a capacity, but it would be folly to attempt to do so at the present time when the Organization is resource-starved and hard pressed to handle the less demanding peacemaking and peace-keeping responsibilities entrusted to it."³¹⁰

³⁰⁸ International Crisis Group, "Getting the UN into Darfur," Africa Briefing N°43, 12 October 2006.

³⁰⁹ Fabrice Weissman and Jean-Hervé Bradol, "An Appeal for Darfur: Killings and Demagogy," Crash: MSF Foundation, 2008, 3.

³¹⁰ Boutros-Ghali, *Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations*, paragraph 77.

He also warned against authorizing peace missions under both Chapter VI and Chapter VII of the UN Charter. He argued that blurring the distinction between peacekeeping and peace enforcement duties could undermine the viability of the entire mission, threaten political processes of peacemaking and endanger UN personnel.³¹¹

But, according to Constructivists, it is not uncommon for IOs to expand their functions without taking into account “features of reality that threaten their ability to accomplish these missions.”³¹² Thus, the Security Council blurred the distinction between peacekeeping and peace enforcement duties in both Sierra Leone and Sudan, where the peace missions were authorized under Chapter VI but the peace soldiers were given Chapter VII enforcement powers to protect civilians and humanitarian workers from imminent threats of physical violence.

In summation, based on the incredible progress the UN had made in the field of POC conceptually in the five years prior to UNMIS, the Secretariat and Security Council were motivated by ideational influences to create a broad POC agenda for UNMIS. These POC objectives, however, still operated within the parameters of host state consent. When the UN was pressured by civil society and Congress to act upon its commitment to R2P, it refused.

5.5 Mechanisms

This section explores the mechanisms behind normative evolution during UNMIS. Did normative evolution occur during UNMIS primarily through institutionalization or demonstration?

Throughout UNMIS, institutionalization of the UN’s broad POC agenda occurred in organizational capacity and rhetoric. One increase in organizational capacity for POC came with the introduction of the integrated mission. As peace missions became increasingly more complex throughout the 1990s, actors traditionally outside the scope of peace

³¹¹ Boutros-Ghali, *Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations*, paragraph 35.

³¹² Barnett and Finnemore, *Rules for the World: International Organizations in Global Politics*, 44.

missions became involved in the processes of conflict resolution and peace-building. The need to coordinate the activities of these actors under a single country-level management structure was articulated in the Brahimi Report. The UN began to develop the concept of the integrated mission, which has been defined as a mission “based on a common strategic plan and a shared understanding of the priorities and types of programme interventions that need to be undertaken at various stages of the recovery process”³¹³ that attempts “to maximize the available UN resources and expertise to bring about an end to hostilities and to promote long-term stability and development.”³¹⁴ During integrated missions, the SRSG, as the senior UN representative in the host nation, has authority over all UN activities in the country. It is the SRSG who devises the “coordination mechanisms among the security, political, human rights, rule of law, humanitarian and development components” of the peace mission.³¹⁵ The SRSG works with two Deputies, one (the Resident Coordinator) who reports back to the UNDP and one (the Humanitarian Coordinator) who reports back to the OCHA. As an integrated mission, UNMIS was able to merge the development, humanitarian and military aspects of POC under one managerial model.

Another increase in organizational capacity came with the introduction of the POC section. As aforementioned, UNMIS became the UN’s first peace mission to have a POC section. The POC section assisted with the development of the POC strategy, disseminated information among all agencies involved with POC, coordinated responses to situations where civilians were at risk of abuse.³¹⁶ Examples of these responses included providing water to avert conflict between nomads and farmers, supporting justice mechanisms, advocated for command and control of armed factions, supporting capacity building of government authorities, and coordinating UNMIS patrols.³¹⁷ The POC section also included a Child Protection Unit (CPU), which was part of the POC section but had its own mandate. The CPU was mandated to support the implementation of those parts of the CPA that required specific measures for children, advise UNMIS on the risks that children face in Sudan, report violations of children’s rights “to ensure that the protection of children

³¹³ United Nations Secretary-General, “Note of Guidance on Integrated Missions,” paragraph 4.

³¹⁴ Erin Weir, *Conflict and Compromise: UN Integrated Missions and the Humanitarian Imperative*, Kofi Annan International Peacekeeping Training Center Monograph No. 4, June 2006, 12.

³¹⁵ United Nations Secretary-General, “Note of Guidance on Integrated Missions,” paragraph 6.

³¹⁶ Ibid.

³¹⁷ Ibid.

remains a priority throughout all UNMIS operations,” and to work with “relevant UN agencies and international organizations to address grave violations of child’s rights.”³¹⁸

Institutionalization of the UN’s broad POC agenda through rhetoric occurred in during UNMIS in Security Council Resolutions. For instance, Resolution 1590 mandated UNMIS troops to assist with many of the POC objectives outlined in Resolutions 1265 and 1296, as well as the 2002 Aide Memoire: disarmament, demobilization, reintegration and rehabilitation; mitigating the effects of conflict on vulnerable populations, such as women and children; contributing to order by restructuring and training the police; contributing to law by developing a national legal framework, including an independent judiciary, in order to combat impunity; establishing security for the safe return of refugees and internally displaced persons; providing safe access for humanitarian relief and personnel to vulnerable populations; and encouraging training of peace soldiers on human rights issues to avoid sexual misconduct.

However, UNMIS’ robust mandate and increased organizational capacity did not equip the mission with the ability to adequately demonstrate POC for several reasons. First, UNMIS struggled to demonstrate POC because failures at the political level in Sudan kept reigniting violence on the ground. Slow implementation of the CPA led to conflict in certain areas, such as Abyei.³¹⁹ One of the most serious breaches of the CPA occurred in Abyei town, when a week of fighting resulted in the deaths of eighty-nine people and the displacement of over fifty thousand more.³²⁰ UNMIS soldiers were subsequently criticized for withdrawing their peacekeepers from the town and “not doing more to protect the town and its inhabitants.”³²¹

Second, as was typical of UN peace missions, the deployment of UNMIS was delayed. By December 2005, only forty percent of UNMIS had been deployed. The mission only reached its full strength in September 2006, almost two years after the Security Council had approved UNMIS’ mandate.³²² Without its full troop strength, UNMIS had a difficult

³¹⁸ Ibid.

³¹⁹ Nahuel Arenas-García, “The UNMIS in South Sudan: Challenges and Dilemmas,” Institute of Studies on Conflicts and Humanitarian Action, Document 5, July 2010, 12.

³²⁰ Adekeye Adebajo, *UN Peacekeeping in Africa: From the Suez Crisis to the Sudan Crisis* (Boulder, CO: Lynne Rienner Publishers, 2011), 197.

³²¹ Ibid.

³²² Adebajo, *UN Peacekeeping in Africa: From the Suez Crisis to the Sudan Crisis*, 194.

time enforcing POC measures on the ground. For example, the Lord's Resistance Army (LRA), a rebel group from neighboring Uganda, wreaked havoc in South Sudan under UNMIS' watch, pillaging villages, killing innocent civilians, and abducting women and children.³²³ By 2010, over two thousand civilians were killed, 2,600 abducted and 440,000 displaced by the actions of the LRA alone.³²⁴ And as long as UNMIS failed to adequately combat the LRA, the Sudanese communities were reluctant to disarm.³²⁵

But even with its authorized troop strength, it was clear that UNMIS was not given the resources it needed to accomplish such a broad POC agenda. While UNMIS was authorized under Chapter VII of the Charter to protect civilians, the rest of the mandate was authorized under Chapter VI. Therefore, UNMIS "was designed and resourced to act more as a Chapter VI mission, monitoring the implementation of the peace agreement and facilitating the delivery of humanitarian assistance."³²⁶

Moreover, while UNMIS made use of the UN's integrated mission model, coordination between the many actors on the ground in Sudan was still poor. As part of the POC section, UNMIS had a Protection Working Group (PWG) in Juba, South Sudan, which comprised most actors involved in POC. But without a shared conception or definition of POC, coordination between members of the PWG became nearly impossible, and the PWG became more of a "battlefield of knowledge than a coherent body for a concerted approach to protection issues," with actors fighting "turf battles" over their respective areas of POC.³²⁷ Thus, the PWG had "little practical and operational value aside information sharing," and some members stopped attending the meetings altogether.³²⁸ And, as aforementioned, the POC section never coordinated with military actors.

Finally, even if UNMIS had been properly resourced and coordinated, it is doubtful that it could have accomplished its POC objectives due to the sheer complexity of its mandate. The UN Deputy Resident and Humanitarian Coordinator for Southern Sudan

³²³ The Security Council passed Resolution 1663 on 24 March 2006 condemning the attacks of the LRA on civilians in Sudan.

³²⁴ Adebajo, *UN Peacekeeping in Africa: From the Suez Crisis to the Sudan Crisis*, 200.

³²⁵ Arenas-García, "The UNMIS in South Sudan: Challenges and Dilemmas," 11.

³²⁶ Arenas-García, "The UNMIS in South Sudan: Challenges and Dilemmas," 17.

³²⁷ Jon Harald Sande Lie and Benjamin de Carvalho, "Between Culture and Concept: The Protection of Civilians in Sudan (UNMIS)," *Journal of International Peacekeeping* 14 (2010), 80.

³²⁸ Ibid.

argued that UNMIS was given a mandate which was “so complex that even highly efficient and really well organized and politically empowered colonial regimes wouldn’t figure out how to do it, let alone the UN, ripped apart by political interests with very dysfunctional administrative systems.”³²⁹ Thus, UNMIS ultimately lacked the ability to translate its mandated objectives into workable definitions at the strategic or operational level.

By this point, the gap between institutionalization and demonstration had become a pattern for POC with regard to UN peace missions. Two main problems cause this ‘implementation gap.’ First, problems with the UN’s military capabilities make it difficult for UN peace soldiers to carry out enforcement activities on the ground, including using force to protect civilians. As aforementioned, the UN has no standing military force of its own. It relies upon the contributions of member states for troops and equipment. But member states with stronger military capabilities prefer to lead unilateral interventions under their own command, and thus troops contributed to UN peace missions are often poorly trained and poorly equipped. Troop deployment is often delayed, and once troops are on the ground they generally have problems communicating and coordinating. UN peace missions are also often under-resourced, especially when the mission is authorized under Chapter VI but given Chapter VII enforcement duties.

Second, lack of a coherent definition for POC at the UN means that peace soldiers often lack a clear understanding of their POC duties on the ground. As it exists at the UN, the concept of POC is so broad it is considered a “culture.”³³⁰ The term ‘protection of civilians’ may refer to a full range of humanitarian and peace-building activities or the narrower concept of physical protection. But the Security Council often uses the term ‘protection of civilians’ in the mandates of peace missions without clarifying the activities to which it is referring.³³¹ This lack of clarity leads to poor demonstration by peace soldiers on the ground. Precisely because the actors who develop POC objectives and those who demonstrate them on the ground are different, institutionalization does not necessarily lead to demonstration.

³²⁹ Lecture by Lise Grande, UN Deputy Resident and Humanitarian Coordinator for Southern Sudan “How to be Humanitarian? UN Intervention in Post-Conflict Societies,” London School of Economics, 7 October 2009, in Arenas-García, “The UNMIS in South Sudan: Challenges and Dilemmas,” 17.

³³⁰ Lie and de Carvalho, “Between Culture and Concept: The Protection of Civilians in Sudan (UNMIS),” 63.

³³¹ Holt and Taylor, *Protecting Civilians in the Context of Peace Operations*, 3.

Demonstration requires strong military capabilities and a clear, operational definition of POC. While peace soldiers are able to achieve a modicum of success against weak non-state actors, such as the warlords in Somalia or the militias in Sierra Leone, achieving POC objectives becomes much more difficult against state-sponsored actors. As Chapter 3 and Chapter 5 of this thesis have revealed, state-sponsored violence against civilians is well organized and efficient. In these situations, effective POC campaigns also require a large number of troops on the ground with enforcement powers or air power. But it is difficult for the UN to procure soldiers from member states for peace missions, especially complex peace missions requiring the use of force. Air power is an attractive option because it leads to low numbers of casualties among soldiers, but the UN has no air capabilities of its own. Moreover, as the NATO air strikes in Kosovo illustrated, air power unfortunately leads to civilian casualties on the ground.³³² Thus, protecting civilians in situations of state-sponsored violence will always be extremely difficult for the UN and a task better suited for nation-states with strong military capabilities. Nonetheless, evolution of the POC norm at the UN continues. This suggests that the institutionalization of POC is just as important to the UN as demonstration of POC.

Thus, while there was large-scale institutionalization of the UN's enhanced POC agenda during UNMIS, there was also a large gap between this institutionalization and demonstration on the ground. While this gap was partially the result of political resistance by Sudanese actors, it was also the result of the delayed deployment of troops, a complex mandate, a lack of workable definitions for POC in the field and a lack of political will on behalf of the actors at the UN to act upon R2P.

5.6 Conclusion

To summarize, during UNMIS, the POC norm evolved from the physical protection of humanitarian workers and civilians into the broad normative framework that informs the

³³² The more recent use of drones by the US in its 'war on terror' has also led to unintended civilian casualties on the ground. Organizations like Amnesty International and HRW have accused the US of violating IHL (Declan Walsh, "Civilian Deaths in Drone Strikes Cited in Report," *The New York Times*, 22 October 2013).

‘culture’ of protection at the UN today. In addition, the Security Council adopted Resolution 1674 in 2006, which expanded the POC norm even further by reaffirming the UN’s “responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”³³³

The main actors responsible for normative evolution during UNMIS were the UN Secretariat and Security Council, which both played a strong role defining and promoting POC objectives throughout UNMIS. Between 1999 and 2004, both added to the proliferation of work on POC conceptually at the UN, which led to the broad normative framework that informed UNMIS’ POC objectives. The Secretariat helped create more organizational capacity for POC in UNMIS with the concept of the integrated mission, the development of the POC section and the creation of the CPU. However, these same actors were unwilling to act upon R2P in Darfur, despite pressure from international civil society and Congress.

Based on the incredible progress the UN had made in the field of POC conceptually in the five years prior to UNMIS, the Secretariat and Security Council were motivated by ideational influences to create a broad POC agenda for UNMIS. If the UN had taken praxis-challenges into consideration, UNMIS’ POC agenda would not have been as broad or ambitious

Finally, there was large-scale institutionalization of the UN’s enhanced POC agenda during UNMIS, namely the creation of the POC and CPU, along with the inclusion of the POC objectives outlined in Resolutions 1265, 1296 and the 2002 Aide Memoire in the mandate of UNMIS. However, there was also a large gap between this institutionalization and demonstration on the ground. This ‘implementation gap’ has emerged as a pattern for POC with regard to UN peace operations. It occurs in part because the actors who institutionalize the POC norm are different from the actors who ultimately demonstrate the norm. Though UN member states with strong military capabilities are arguably the only actors with the ability to successfully demonstrate POC objectives, UN actors continue to promote the growth of the POC norm. This behavior suggests that, for the UN, institutionalization is just as important as demonstration.

³³³ United Nations Security Council, S/RES/1674.

Chapter 6

Conclusion: Normative Evolution and Constructivist Theory

6.1 Introduction

Between 1992 and 2011, the UN launched forty-three peace missions across the globe.³³⁴ This thesis analyzed the evolution of the POC norm in four of those peace missions (UNOSOM, UNAMIR, UNAMSIL and UNMIS) using a Constructivist framework. This concluding chapter presents the cumulative findings on the research undertaken. It addresses how, beginning in 1992 with the UN peace mission in Somalia, the norm of civilian protection during conflict evolved at the UN. It also builds upon existing Constructivist theory. The chapter concludes with recommendations for further research.

6.2 Evolution of the POC Norm at the UN (1992-2011)

Beginning in 1992 with the UN peace mission in Somalia, how has the norm of civilian protection during conflict evolved at the UN? Who were the main actors that defined and promoted normative evolution within the UN? Who were the main actors that were capable of demonstrating normative evolution on the ground? Was normative evolution at the UN motivated by ideational influences or in response to praxis-challenges? Finally, did normative evolution occur primarily through institutionalization or demonstration?

The two decades between 1992 and 2011 witnessed significant normative evolution with regard to the POC norm. In the Cold War-era, the POC norm was akin to the non-combatant immunity norm, which stipulates that non-combatants, or civilians, have immunity from direct military attack because they do not directly participate in hostilities

³³⁴ "List of Peacekeeping Operations: 1945-2013," United Nations website, <http://www.un.org/en/peacekeeping/documents/operationslist.pdf>.

or have a continuous combat function. For peace soldiers, complying with the non-combatant immunity norm entailed the avoidance of targeting civilians. Since the end of the Cold War-era, the POC norm has evolved into a comprehensive normative framework that includes not only the active protection of civilians under imminent threat of physical violence, but also the protection of civilians through broad goals generally adopted by humanitarian and development actors.³³⁵ With the adoption of Resolution 1764 by the Security Council in 2006, POC now includes the concept of R2P, which is the most controversial addition to the POC norm.

Using a Constructivist framework, this thesis revealed that the greatest impetus for normative evolution came from the UN Secretary-Generals, specifically Annan. Annan's report, *The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa*, defined the protection of civilians as a humanitarian imperative. During Annan's first term as Secretary-General, the Security Council affirmed that POC was an integral part of the UN's promise to maintain international peace and security,³³⁶ and it became standard practice for peace soldiers who witnessed violence against civilians to presume that they had the authority to stop it.³³⁷ During Annan's second term, POC evolved from the physical protection of civilians and humanitarian workers into the broad 'culture' of protection that exists that the UN today, and the DPKO's organizational capacity was increased so that the additional duties of peace soldiers could be better managed and coordinated. Thus, Annan can be considered a normative intermediary.

It must be stated that NGOs and other non-UN actors also played a strong role in the evolution of the POC norm. Intelligence gathered from NGOs on the ground in conflict areas and presented to the Secretary-General or Security Council by these same NGOs, or by the OCHA, ultimately informed the Secretary-General's reports on POC. NGOs, through the

³³⁵ Goals such as: securing safe access to vulnerable populations; combating impunity; restoring law and order; adequately disarming, demobilizing, reintegrating and rehabilitating ex-combatants; addressing small arms and mine action; training of security and peacekeeping forces; addressing the vulnerability of women; addressing the vulnerability of children; providing safety and security for humanitarian and associated personnel; mitigating hate media; being mindful of the humanitarian impact of sanctions; separating civilians and armed elements; and addressing the effects of natural resources on armed conflict.

³³⁶ Brooks, "The UN Security Council and Civilian Protection," 18.

³³⁷ Brahimi, *Report of the Panel on United Nations Peace Operations*, x.

OCHA, helped create the UN's 2002 Aide Memoire on POC by identifying the key areas of POC that had been overlooked or poorly coordinated in past peace missions.

The actors most responsible for defining and promoting normative evolution ultimately differed from the actors most responsible for demonstrating normative evolution: the states on the Security Council with strong military capabilities. In Somalia, before the arrival of UNITAF, UNOSOM troops were unable to move past the Mogadishu airport. In contrast, UNITAF troops were able to save at least 250,000 Somalis from starvation.³³⁸ In Rwanda, the French were the only actors willing to use force to protect civilians, though the French's motivations became suspect when they were accused to harboring war criminals and withholding information regarding the *genocidaires* from the UN. In Sierra Leone, UNAMSIL soldiers initially struggled to fulfill their POC mandate, and the delayed deployment of and poor communication between UNAMSIL forces resulted in an embarrassing hostage crisis. The deployment of UK troops, coupled with the UK's efforts on the UNSC to secure enforcement powers for UNAMSIL, resulted in the forced disarmament of the rebels and the elimination of the main threat to the civilian population. In Sudan, the Sudanese President, Omar al-Bashir insisted that the UN's peace missions in Sudan retain a predominantly African character in order to prevent an infusion of better-equipped, better-trained Western soldiers into his country.

Ideational influences and praxis-challenges did not prove to be mutually exclusive motives. However, ideational influences served primarily as a motivator for normative evolution, while praxis-challenges served primarily as a motivator for the stalling of normative evolution. More importantly, neither ideational influences nor praxis-challenges proved to be the primary motive behind normative evolution. Instead, the primary motive was organizational survival. Organizational survival motivated the UN to continue to promote the evolution of the POC norm and to institutionalize that growth, despite the fact that praxis-challenges would make implementation difficult and make other actors weary of demonstrating the POC norm on the ground.

The primary mechanism of normative evolution in the case study was institutionalization. Between 1992 and 2011, all changes in the content of the POC norm

³³⁸ Boutros-Ghali, *The United Nations and Somalia 1992-1996*, 6.

were institutionalized. Generally, changes made to the POC norm would first be institutionalized in UN reports, and the Security Council would subsequently include new POC objectives in the mandates of peace missions or in its thematic Resolutions. Then, organizational capacity would be expanded so that the UN could better handle the broader, more demanding POC objectives.

The demonstration of normative evolution by the UN was less consistent, in part because the actors who institutionalized the norm differed from those ultimately most responsible for demonstrating normative evolution (non-UN actors, specifically nation-states with strong military capabilities). This dichotomy has produced a widening gap between the UN's ambitions and abilities regarding POC.

6.3 Building Constructivist Theory: Normative Evolution during the Second Stage of the Norm Life-Cycle

How does the evidence from this thesis' case study help build upon existing Constructivist theory? Do the norm dynamics in the case study confirm or contradict those put forth by Finnemore's and Sikkink's Constructivist framework, specifically with regard to the second stage of the norm life-cycle?

Table 3: Finnemore's and Sikkink's Second Stage of the Norm Life-Cycle³³⁹

	Stage 2: Norm Cascade
Actors	States, international organizations, networks
Motives	Legitimacy, reputation, esteem
Dominant Mechanisms	Socialization, institutionalization, demonstration

³³⁹ Finnemore and Sikkink, "International Norm Dynamics and Political Change," 898.

The evidence from the case study produced five conclusions about the second stage of the normative life-cycle that are not adequately addressed by existing Constructivist theory. First, while existing Constructivist literature identifies the norm cascade as the primary process of the second stage of the norm life-cycle, this thesis revealed that normative evolution also occurs during the second stage of the life-cycle. It is clear that, after norms emerge, they undergo processes of redefinition or revision before they are internalized.

Second, Finnemore and Sikkink correctly identified states, IOs and TANs as actors involved in the second stage of the norm life-cycle. However, their methodological choice to treat IOs as single actors prevented them from adequately addressing which organs, agencies, nation-states or individuals within IOs play important roles in norm evolution. This thesis revealed that the greatest impetus for normative evolution at IOs may come from *within* IOs.

Third, this thesis confirmed that motives of legitimacy, reputation and esteem emerge during the second state of the norm life-cycle. Within an IO, these motives are encompassed in the ultimate motive, organizational survival. Organizational survival helps explain why IOs take on tasks for which they are ultimately ill-prepared.

Fourth, the thesis revealed that institutionalization is the primary mechanism of normative evolution because demonstration of normative evolution is ultimately more difficult than institutionalization. It is also because institutionalization serves many functions. For the UN, institutionalization serves to solidify institutional goals and make organizational commitments. Moreover, by introducing POC issues to the international community with lofty rhetoric, institutionalization aims to socialize other actors to comply with the POC norm. Thus, one of the ultimate goals of institutionalization is actually socialization, or the spreading of the norm. This is particularly important because, innately, the UN is unable to carry out any militarized POC objective without contributions of troops and equipment from member states.

Finally, the thesis revealed that the institutionalization and socialization of a norm does not necessarily lead to demonstration or behavioral change on the ground.

6.4 Further Research

The research and findings of this thesis are ultimately narrow in scope, and further research will yield a better understanding of how norm dynamics affect the evolution of the POC norm and its implementation on the ground. One particular area for further research includes the growing gap between the UN's proclaimed ambitions and actual capabilities regarding POC, which is most conspicuous in Africa. While the plight of civilians during conflict is not an issue that is specific to Africa, African conflicts were influential in the development of the POC norm and the vast majority of UN peace missions with mandates to protect civilians have occurred in Africa. In Africa, the UN experiences difficulties protecting civilians due to problems with its military capabilities and a lack of a coherent definition for POC. However, the UN's greatest challenge in Africa may be the prevalence of state-sponsored violence against civilians. Unfortunately, this is the type of violence against which the UN is most ineffectual, suggesting that the gap between ambitions and abilities may only grow larger. How can the UN close the gap between institutionalization and demonstration? How can the UN persuade states with strong military capabilities to demonstrate POC in Africa?

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